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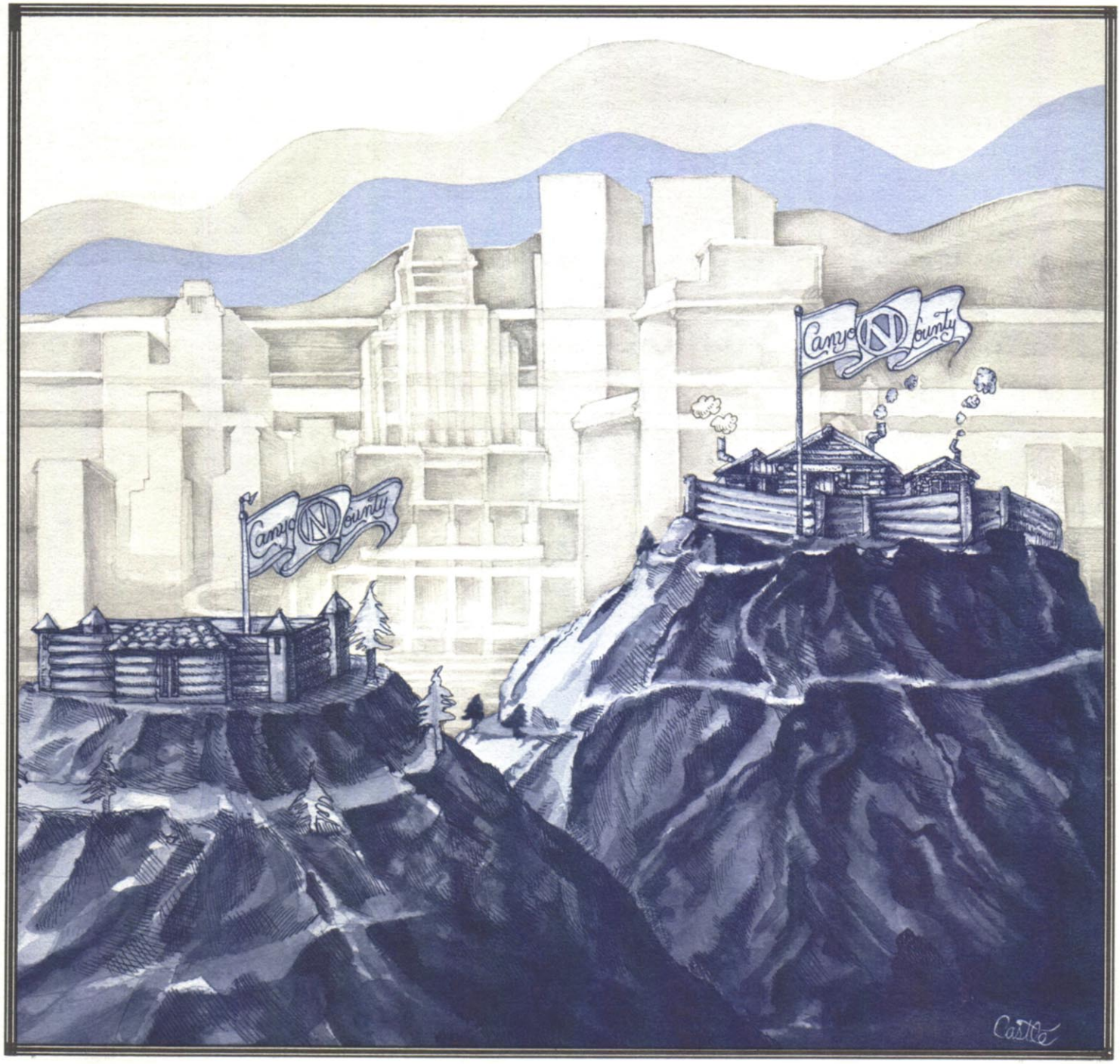
California Journal

THE MONTHLY ANALYSIS OF STATE GOVERNMENT AND POLITICS

THE MOVE TO SECEDE FROM LOS ANGELES COUNTY



TWO SPECIAL SECTIONS

GUIDE TO CAMPAIGN REFORM LAWS

JUNE PRIMARY ANALYSIS

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A PERSONAL PERSPECTIVE . . .

By Ed Salzman

Jury for judges

If the people elect a relatively incompetent governor or a batch of boobs to serve in the Legislature, there isn't a great deal of harm done. Somehow, the system is stronger than the individuals temporarily assigned to run it. But there is another branch of government, perhaps the most important, in which incompetence or boobery cannot be tolerated — the judiciary.

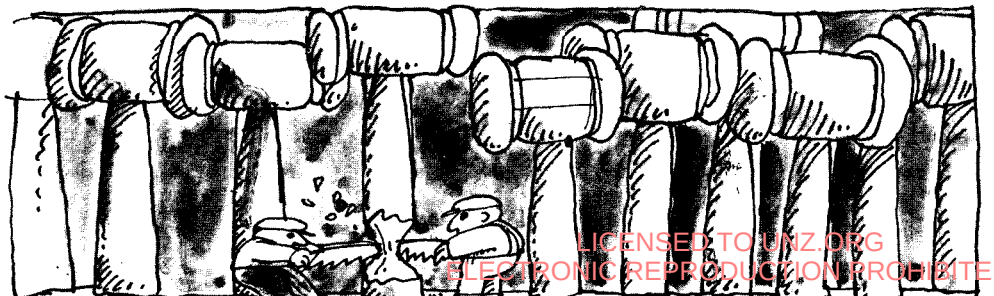
Despite political theory, ours is not a tripartite system with three co-equal branches of government — executive, legislative and judicial. The judges reign supreme. They have the last word on actions by the Governor and Legislature. The courts' task is to protect the guaranteed rights of the individual from the masses and their elected representatives.

A John Sirica is more vital to this system than a Richard Nixon. With this structure, gross injustice against an individual — or against the masses by an individual — cannot be allowed to stand. The best protection is the appointment of only the best available talent to judgeships at all levels.

Cries of anguish went out when Governor Brown indicated he would not rush to fill judicial vacancies and would personally interview every finalist for appeals posts before making appointments. But what more important function does a governor serve than the selection of the people who run the cornerstone element of government?

Brown also raised questions about how hard some judges work and the financial rewards of office. (Judges get automatic cost-of-living pay raises that other public employees don't always get.) This was a blow to the judiciary, which has managed to robe itself in an aura of superiority and political invincibility. Judges deserve all the respect society can offer because they provide the foundation for democracy. But judges are human. They are subject to the same frailties as the rest of us. There are good ones, mediocre ones and bad ones. While Brown may have been wrong in his proposals, for the first time in years he prompted a public debate on the judicial institution.

There is now a growing trend in California to have judges rated by lawyers who practice in their courts. Many judges would like to see this development nipped in the bud. (They would probably prefer that lawyers move in the other direction and adopt a controversial plan making it illegal for a judicial candidate to criticize publicly a decision by an incumbent judgeship candidate.) But don't these ratings give the public a much-needed tool to discover which judges should be removed at the ballot box? The trouble is that the election process is inferior to appointments for assuring quality judges. Nevertheless, it can't hurt judges to know that, periodically, a jury will go out on them too.



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California Journal
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PRESIDENT AND PUBLISHER
Thomas R. Hoeber

EDITOR
Ed Salzman

MANAGING EDITOR
Leah Cartabruno

ART DIRECTOR
Jan Castle

WASHINGTON COLUMNIST:
Lou Cannon

CONTRIBUTING ARTISTS: Ric Hügo, Donna Rivers, Tom Zanze

CONTRIBUTING WRITERS: Robert Feinbaum, Leo Rennert, Carla Lazzareschi

SUBSCRIPTION MANAGER:
Barbara Aguirre

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Memo to tourists: If you're planning to visit Sacramento and take the traditional picture in front of the state's beautiful Capitol building, forget it. The Capitol is a temporary aesthetic disaster area, thanks to the reconstruction job the Legislature ordered, theoretically to make the structure safe from earthquakes. That project, incidentally, is supposed to cost about $42 million, but people in the know are saying that before the job is done the total bill to the taxpayers may be close to $150 million.

Leadership of Common Cause in California suffered a major setback when the organization's board of directors voted (15 to 6) not to place an initiative on the ballot to require public funding of state political campaigns.

Brownisms: In case you missed it, Governor Brown told Nancy Skelton of the *Sacramento Bee* that he dates women "every weekend — but I don't talk about it. That would be stupid." . . . Republican attacks on Brown carry a hollow ring. Wouldn't it be a better stratagem for the GOP spokesperson to welcome the Governor to the Republican Party and suggest he change registration to match his fiscal policies? . . . The Governor still has left hundreds of appointments unfilled, which leads to the question: Does a Governor have too many slots to fill and shouldn't some of the appointive power be placed elsewhere? Why couldn't the director of agriculture make appointments to local fair boards?

Back in New York, Assembly Speaker Stanley Steingut issued a series of charts, graphs and tables designed to show that the New York State Assembly is more "cost-effective" than the California Assembly and thus justified the $18 million appropriation he was seeking. The key statistic: last year, the New York Assembly put in 104 working days at a cost of $171,000 a day, compared to 131 days at $176,000 a day for the California Assembly. Steingut didn't address the main issue — not how much is spent but what the taxpayers get for their money.

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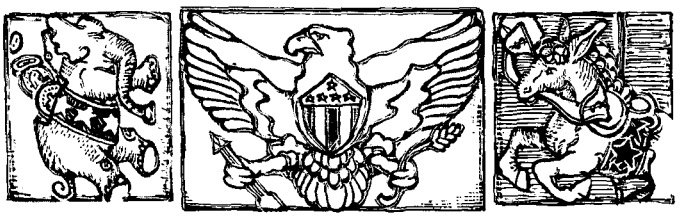

The high priests of our time are those who interpret the political-reform measures that guide elected officials, candidates, contributors and lobbyists. Here's a practical guide to help the ordinary citizen through the legal thicket.

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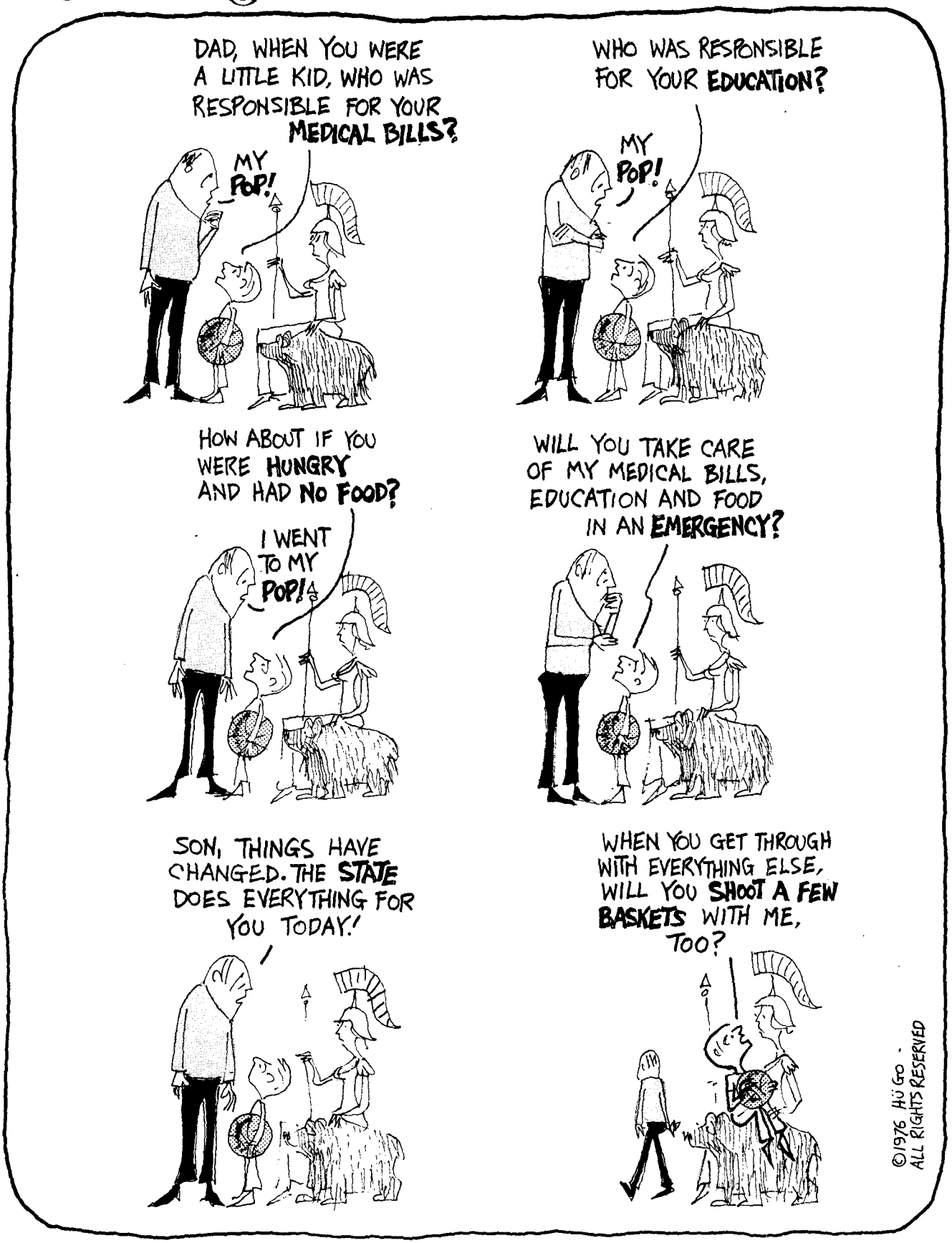
Caucus

By HüGo


DAD, WHEN YOU WERE A LITTLE KID, WHO WAS RESPONSIBLE FOR YOUR MEDICAL BILLS?
MY POP!
WHO WAS RESPONSIBLE FOR YOUR EDUCATION?
MY POP!
HOW ABOUT IF YOU WERE HUNGRY AND HAD NO FOOD?
I WENT TO MY POP!
WILL YOU TAKE CARE OF MY MEDICAL BILLS, EDUCATION AND FOOD IN AN EMERGENCY?
SON, THINGS HAVE CHANGED. THE STATE DOES EVERYTHING FOR YOU TODAY!
WHEN YOU GET THROUGH WITH EVERYTHING ELSE, WILL YOU SHOOT A FEW BASKETS WITH ME, TOO?
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REVOLT OF THE BALKANS

THE MOVE TO SECEDE FROM LOS ANGELES COUNTY

"For most of our citizens, local government is the first test by which our civilization is judged." – Public Commission on County Government, Los Angeles, February 1976

By Bob Simmons

In the rough and folksy bars of Saugus they argue about the new county. Between rounds of beer and eight-ball, lean men in faded Levi's wonder if their taxes will go up, if fire and flood protection will go down. A few miles away, in the Sunset Magazine living rooms of Valencia, the questions are different but the issue is the same. Members of the League of Women Voters ponder the ethics of pulling a white, middle-class suburb out of a county which last year provided welfare assistance to 742,000 people and needs all the resources it can gather.

The Canyon County Formation Committee wants to separate 66,000 people and 735 square miles from Los Angeles County. The northwest corner of the existing county would break off to become Canyon County, which would include the unincorporated communities of Saugus, Newhall, Valencia, Canyon Country, Acton and Gorman, plus thousands of acres of sparsely settled range- and prime-development land along the Santa Clara River. That corner of Los Angeles County is connected with the county seat by 50 miles of freeway and is separated by row on row of mountains and canyons, and years of mutual disinterest. "People downtown don't know where the Santa Clarita Valley is," says Don Hon, Newhall attorney and co-chairman of the Canyon County drive. "People in this valley don't give a damn what goes on downtown. Why should we be tied together? We're sick and tired of driving a hundred miles round trip to attend a Planning Commission hearing, to appeal an assessment or complete a building permit."

The budget blues

Los Angeles County's chief administrative officer, Harry Hufford, thinks Los Angeles County can get along without its northwest corner, but he doesn't see how the proposed new county can make it on its own. Canyon County would reduce L.A. County by only about one percent of its population and one percent of its tax base. Hufford says L.A. County expenditures would decrease by $23 million, but the new county's budget, he estimates, would have to exceed $33 million.

"That's ridiculous," scoffs Hon. "He's assuming we would continue the same wasteful, inefficient, overspending ways L.A. County's famous for. They always buy a Cadillac when a Volkswagen will do." Until two years ago this would have been idle chatter. There had not been a new county formed since Imperial County in 1907. The barriers to secession were enormous. But new legislation in 1974 made new county formation much easier. When 25 percent of the voters in the proposed county have signed petitions to separate from their existing county, the formation is underway. The voters of the existing county can block it, but the supervisors cannot. The petition phase happened rapidly in northwest Los Angeles County, and similar actions are now threatened in the eastern, southern and western reaches of the county to split off more densely populated, higher-priced chunks.

The Canyon County signatures have been certified and sent to Governor Brown. Now the Governor must appoint a County Formation Review Commission — two residents from the proposed new county, two from the remainder of Los Angeles County and one from another county. The commission would decide who would owe how much to whom for county property that would have to be exchanged. It would estimate the financial impact of the separation on the old as well as the new county and officially certify the boundaries. Once that's done the Los Angeles County Supervisors must call an election to decide the fate of the new county. If the separation is approved by a majority in the overall existing county as well as in the proposed new one, 91 days later Canyon will become California's 59th county. Canyon forces have been waiting impatiently for word from the Governor. He has until May 1 to appoint the commission and there has been no indication he will do it before that deadline.

South Bay, San Gabriel and Las Virgenes

Meanwhile, separation petitions are circulating in Torrance and the beach cities of El Segundo, Redondo Beach, Manhattan Beach, Hermosa Beach, Rolling Hills and Palos Verdes for a new entity to be called South Bay County. It would take about six percent of the population and six percent of the tax base from Los Angeles County. A committee of San Gabriel Valley officials headed by Mayor Louis Gilbertson of Temple City is pondering the potential of a new County of San Gabriel. The loss of its 27 cities would remove about 13 percent of the existing Los Angeles County tax base. Dissidents in the western end of Los Angeles County keep raising the possibility of a Las Virgenes County. One version would include the beach

The author, a reporter for KNXT-TV in Los Angeles, wrote "Why the state hasn't cleared the air" in the October 1973 Journal.

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community of Malibu, the Santa Monica Mountain country to the north, the Ventura Freeway communities of Agoura and Calabasas, and the burgeoning Ventura County suburb of Thousand Oaks. (Plans are also afoot to create city-county governments in central Los Angeles and the San Fernando Valley.)

Whatever the outcome, there's a certain irony in the threatened balkanization of Los Angeles County. For years the county Regional Planning Commission and Board of Supervisors have approved subdivisions virtually on demand, even when bitterly opposed by those constituents who already had made the move to suburbia. Now, of the seven million who live in Los Angeles County, only a bit more than two million live in the City of Los Angeles. The rest are spread along the freeways to the outer fringes, and the outermost are turning against the county, demanding to be let out. "The county is a monster," roars the *Newhall Signal*, "that nourishes itself on the life blood of the people of the Santa Clarita Valley."

Too many Newhalls?

A lot of things about the proposed new county would be named Newhall — too many to suit some opponents of the plan. Scott Newhall, former editor of the *San Francisco Chronicle* is publisher — his wife, Ruth, is editor — of the

Newhall Signal, published in the town of Newhall. The Newhall Land and Farming Company would be the largest taxpayer in the county. It owns hundreds of acres of flat land in the Santa Clara flood plain. Supervisor Baxter Ward does not mention the Newhalls by name but makes it clear whom he's talking about when he warns, "The interests are, I think, interests that want control of zoning or development, that kind of thing . . . and they are utilizing the people's concerns about the tax dollars as a means of gaining the control they selfishly seek."

On the other hand, secession leaders claim the existing Regional Planning Commission has done such a terrible job of shaping the Santa Clarita Valley that the development pattern is a major factor in the residents' determination to get out. They'll show you the hilltop subdivision in high-hazard fire and earthquake country, with only one narrow street in and out to be shared by rescue equipment and fleeing residents in the event of disaster. Bouquet Canyon Road stretches out into a straight, 55-mile-an-hour highway, suddenly takes a 25 mile-an-hour bend for no apparent reason, then returns to its former alignment. The county road department says it was put there according to a community plan provided by the county planning department.

The bigness of Los Angeles County

Los Angeles County contains more people than 42 of the states.

The 1975 county budget is larger than the budgets of 36 of the states.

The county has 84,000 employees, more than 43 of the states.

Each county supervisor represents about 1.4 million people — a larger constituency than most United States senators.

Los Angeles leads all large counties in the number of employees per capita (10.6 for every 1,000 people).

County boundaries were last changed 85 years ago, when the population was about 100,000.

Discussion during a recent planning commission meeting revealed something of the insularity in which land-use decisions are made. Residents from the proposed Canyon County area had driven 50 miles to argue for and against a proposed new subdivision, only to have the commission postpone the hearing. Commissioner Carolyn Lewellyn, (the only one of the five with no connections in real estate, land development or the escrow business) worried about inconveniencing those who had driven all that way. She suggested that when the public arguments were rescheduled, they be heard in the community itself, for the convenience of those affected. Commission Chairman Howard Martin was dead set against it. "It doesn't make sense," he said, "to drive all the way to the Santa Clarita Valley when it's so much easier to meet right here."

The commission report

While the rebels of Canyon, San Gabriel, South Bay and Las Virgenes look for a way out, a prestigious Public Commission on County Government has spent a year looking for a way to bring everybody in. "Public knowledge of and confidence in county government are low," warns the commission's final report. "Its remoteness and low visibility are important elements underlying the four major movements now working to secede from the county. Citizens participate very little in decision-making, and the structure is not built to respond when citizen opinion is formed and presented."

While there are more than 100 advisory boards, commissions and committees to counsel Los Angeles County officials, those who serve on the panels often find they're wanted only as window dressing — meeting the requirements for state and federal grants but having no access to the decision-making process. One such group was appointed to develop affirmative action plans to aid the county in hiring and promoting more minorities and women. "It spent two years producing a report and then watched it filed and forgotten," the Public Commission says, "without even the courtesy of an explanation of the reasons for which it was being ignored." A Citizen's Advisory Planning Council tried to warn the Planning Director, Planning Commission and Supervisors that the general land-use plan they were developing in 1973 was illegal. But council members were totally cut off from all

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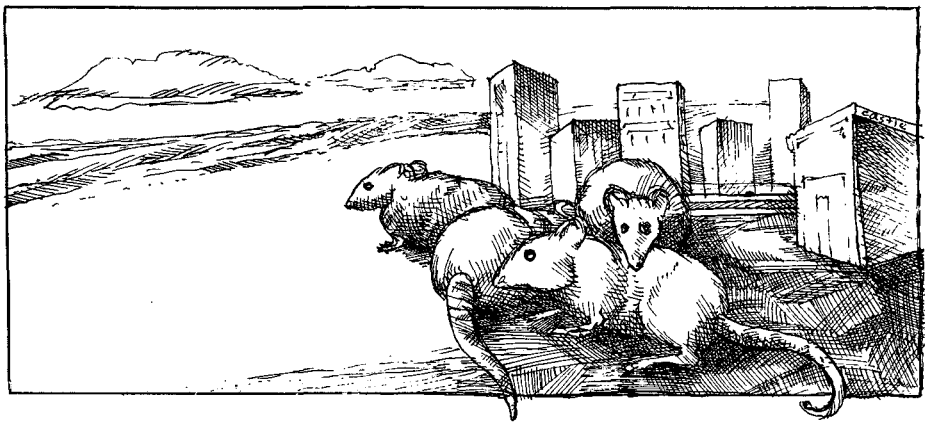

the officials involved. Last July, a Superior Court judge threw out the general plan and told the county to start over.

The Public Commission believes these and other frailties of the existing county government are the product of faulty structure. It proposes an elected county mayor to take over management of the fifty-plus county departments, an expanded board of supervisors to be known as the County Legislature, an independent auditor-controller appointed for a 10-year term, and other innovations.

While the Canyon separationists complain of being alienated from Los Angeles, those of San Gabriel concentrate their fire on the cost and inefficiency of the existing county government. Mayor Gilbertson points to the Los Angeles County general tax rate — the highest of any California county in 1975 — as reason enough to try something smaller. He refers to a University of Southern California study which indicates that services don't get any cheaper as government gets bigger. (The 1970 study of metropolitan governments concludes that the cost per capita never levels off once you pass a governmental unit size of 100,000.)

Los Angeles County's experience seems to support the finding. In the past 25 years, the county's population has grown less than 70 percent but the number of employees has increased by more than 200 percent (now numbering more than 84,000, about the size of the city of Burbank). And the annual cost of running the county has gone up more than 900 percent, with total expenditures in 1975 of more than $3 billion. CAO Hufford warns, however, that if the smaller counties try to do the things Los Angeles County does for its citizens, the cost will be exorbitant. His analysis of the proposed Canyon County predicts that "in order for the new county to continue to provide services at the level now provided, a real property tax of $8.95 per $100 . . . would have to be levied, compared to the 1974-75 Los Angeles County tax rate of $4.68."

Where are the buildings?

"So we'll do without a few things," he says. "Maybe we'll get by without a $14 million crime computer that doesn't work (a reference to L.A. County's ill-fated *Oracle* project). Maybe we won't need a whole big department to find out where the county buildings are." (Los Angeles County's Facilities Department is just concluding the first-ever inventory of approximately 4,000 county-owned structures.)

County officials are quick to point out that a great deal of the 900 percent increase in expenditures since 1950 has gone for social welfare programs mandated by the state and federal governments. And some believe the separationists are trying to escape helping the poor, elderly and disabled of the urban center. The percentage of public assistance recipients in either Canyon County or South Bay County would be considerably smaller than the percentage in the existing county, where one out of eight residents is either on relief or on the county payroll (742,000 on welfare plus 84,000 county employees). But Connie Worden, co-chairperson of the Canyon County Formation Committee, says the move is not a continuation of the "white flight" to shed social responsibility. "If I thought we were hurting Los Angeles County's ability to deal with its social problems I'd drop the project right now. I don't think the loss of our little corner is going to affect the rest of the county one way or another. I do think that enough breaking away could leave behind a ghetto county, and we would not want to be responsible for doing that."

The outlook

Temple City's Mayor Gilbertson points out that the proposed San Gabriel County would have its share of Blacks and Spanish-speaking poor. "You just can't run away from the need to care for the disadvantaged," he says. "For one thing the rest of the county would not allow it. If they did, it'd be the wrong thing to do." Nevertheless the rash of county formation campaigns raises the spectre of an under-financed, overburdened Los Angeles County, struggling to handle its social pressures with a drastically reduced tax base. That prospect, coupled with the job concerns of militant county employees, would seem to diminish the new counties' chances of getting the majorities they need.

But Connie Worden thinks Canyon County has a good chance, partly because of its remoteness. "I felt we'd won," she said, "when the clerk at the Registrar of Voters' office looked over our petitions and asked 'where in the heck is Saugus?' "

Selected government reports

State Planning Issues; Council of State Planning Agencies in cooperation with the Council of State Governments and the College of Business and Economics University of Kentucky. Articles on state planning and governmental topics, including one by California Assemblyman Eugene T. Gualco. 62 pp. Available from the Council, Iron Works Pike, Lexington, Ky. 40511.

State Involvement in the California Coastal Zone: A Topical Index to Agency Responsibility; Institute of Marine Resources, P.O. Box 1529, La Jolla 92037. 143 pp. Who is doing what in the planning, regulation and management of the coast.

Summary, Review and Analysis of California Coastal Commission Government, Powers and Funding to Carry Out the Coastal Plan; California Council for Environmental and Economic Balance, 215 Market Street, Suite 930, San Francisco 94105. 33 pp., October 1975. Identifies potential conflicts and possible omissions in the Coastal Plan, and highlights key policy decisions.

State Legislatures, bimonthly publication of National Conference of State Legislatures (formerly titled **State Legislatures Today**), 1405 Curtis St., Denver, Colo. 80202. (Annual subscription $10) June-July 1975 issue includes articles on California's farm-labor law, medical malpractice, fair-trade laws, pros and cons of nuclear safety, gun control, and land-use.

Governments of the United States and of California; fourth edition, by John A. de la Haye, John P. Carney, Helmut Bader, and Edgar F. Love of El Camino College. Spring 1976. (400 pp. $5.95) Wm. C. Brown Company Publishers, 2460 Kerper Blvd., Dubuque, Ia. 52001.

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THE MAYOR'S WINTER OF DISCONTENT

Can Bradley win again despite unfulfilled promises?

By JOE SCOTT

"Tom Bradley is facing his winter of discontent," a confidant of the Los Angeles mayor was saying recently. "Everybody on the staff is too preoccupied to think much about 1977 now." But the reference to 1977 has not gone unnoticed in the corridors of City Hall. Next April 5th Bradley will face reelection. And now, a year before he must again seek a mandate at the polls, the mayor's leadership in many directions is under heavy fire. How the public views the disarray in the next few months may be decisive.

After overcoming huge political and racial obstacles to become mayor of the state's largest city in 1973, Bradley enjoyed an unusually long "honeymoon" with both the public and the news media. Perhaps after the long 12-year reign of Sam Yorty the city was ready to experience the promise of new policies and new directions. For his part, Bradley did nothing to discourage the notion that, despite some City Charter limitations, he was ready to lead.

Everything that Bradley did in his initial months of office generated enormous media coverage, whether it was frequent trips to Sacramento and Washington as president of the National League of Cities or open houses at City Hall or in many of the city's 15 councilmanic districts. He seemed to be everywhere — seven days a week, month after month. Nationally, some columnists were already touting him as a possibility for the Democratic Vice Presidential nomination in 1976.

Series of set backs

But with the start of the new fiscal year last July, two years after he was sworn into office, an embarrassing series of setbacks and failures began to stalk Bradley. These stalemates and frustrations, which seem to be intensifying instead of diminishing, are grist for those who see a pattern emerging whereby the mayor could be in for a tough reelection fight.

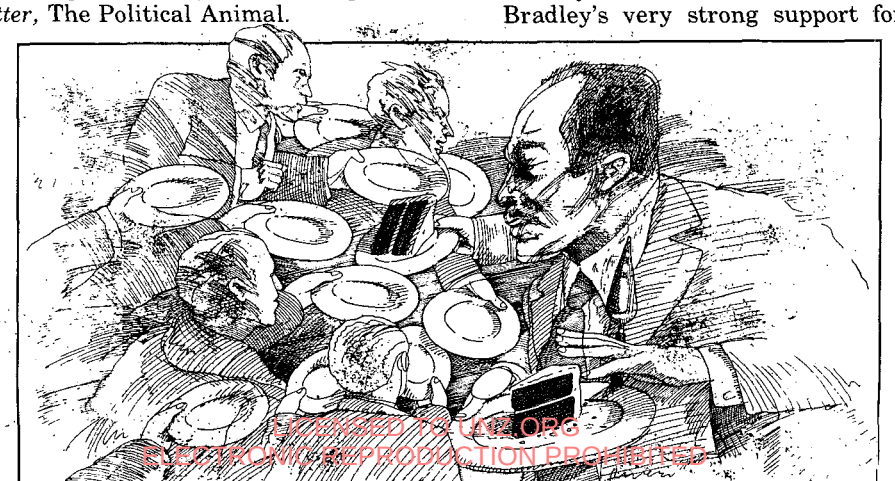
Bradley made two key promises in the 1973 general election. He pledged to break ground on a mass-transit system within 18 months of taking office. And, as he did in the unsuccessful 1969 campaign, Bradley promised to revive Los Angeles Harbor. While Bradley's rapid-transit intentions may have been good, and his staff thorough, the mayor has failed to achieve the breakthrough that was the cornerstone of his campaign rhetoric. The mayor did lead an unsuccessful 1974 county-wide campaign for a plan to impose a penny sales tax for mass transit. And some efforts by both Los Angeles city and county governments to create a solid pro-transit front seemed to be working — until they broke down in bickering over costs and priority corridors. The rapid-transit initiative in Southern California has now left City Hall, despite Bradley's deep commitment, and has passed at least for the moment over to the County Hall of Administration where Supervisor Baxter Ward is parading his $7.2 billion package amid generally favorable response. Bradley says he's not opposed to Ward's plan but wants to know more about whether it is financially feasible. But the impression has become indelible: Bradley himself couldn't deliver when it counted.

The Robbins challenge

On the development of Los Angeles Harbor, Bradley displayed a personal concern in making the port more competitive with Long Beach Harbor. But Standard Oil of Ohio decided last September to locate a major terminal for Alaskan oil in Long Beach. Los Angeles, which had been in direct competition for the major prize, lost a key battle in the commercial war. Somehow, both the transit and harbor issues appeared almost academic when stacked against another issue which spread, like a grass fire, through the city last fall and during the early months of the new year.

Bradley's very strong support for the multi-billion-

Joe Scott is editor and publisher of the Los Angeles-based weekly newsletter, The Political Animal.



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dollar Central City Redevelopment Plan, a highly controversial proposal strongly backed by downtown business interests, generated heated opposition over a wide section of the suburbs, especially in the rebellious San Fernando Valley. Said Bradley, "If you let the heart of the city die, the whole city eventually dies." But several councilmen, led by the fiery Ernani Bernardi, seemed far more concerned about higher taxes and the mood of their constituents than about urban philosophy. Worse still for Bradley, the redevelopment issue, whatever its possible long term benefits, gave an unexpected page-one issue to state Senator Alan Robbins, a North Hollywood Democrat who had virtually made up his mind to oppose the mayor in 1977 and had, for months, been looking for a fight.

Robbins, who is young, ambitious and pragmatic, has been trying to push a bill through the Legislature to force the redevelopment issue onto the ballot in the next citywide election. Robbins successfully steered the bill through the Senate but, thus far, Assembly Speaker Leo McCarthy has successfully tied the measure up in the lower house. But Bradley, sensing the potentially lethal aspects of the redevelopment plan, started backing away from it. He created a special blue-ribbon citizens' committee and asked for a report next July, thus creating, in effect, a moratorium on public criticism of the project.

Downtown dollars

Bradley's move, however difficult, has not hampered his relationship with downtown Los Angeles property owners who hope to benefit from the eventual implementation of the redevelopment plan. In fact, the city's major corporate executives like Philip Hawley of Carter Hawley Hale are turning out to be the mayor's biggest boosters at a time when Bradley is being buffeted by political storms. Much of the business community had remained loyal to Sam Yorty until his defeat and regarded Bradley's rise to power with trepidation. But, as one major corporate public affairs executive said, "We are quite comfortable with Bradley." Pressed, the source said the mayor had the confidence of top management because he had been able to produce balanced city budgets at a time when many other major cities were in trouble. Also, Bradley was perceived by the business top command as having the ability to control criminal and racial unrest.

The mayor was still trying, as 1975 ended, to pay off $161,469 in debts from his 1973 campaign. But a major dinner at the Century Plaza Hotel in late January reduced the deficit to somewhere between $10,000 and $20,000. Corporate donors subscribed heavily to the dinner, a surface indication that incumbency has its advantages. It also shows that the mayor will apparently be able to count on help from downtown interests during his 1977 reelection campaign.

After Weiner, who?

Leaving aside such nagging issues as transit, harbor and redevelopment, the one problem that is causing Bradley partisans major concern now is the fallout from the recent resignation of Maurice Weiner, the mayor's longtime trusted political aide, chief of staff and alter ego. Weiner, an intense, able civil servant, was convicted of engaging in lewd conduct at a Hollywood sex theater last October despite sworn testimony by Bradley at a long and widely publicized trial. The verdict and Weiner's subsequent resignation had a demoralizing effect on members of the mayor's staff. Questions regarding the political stability of the administration began to be heard with new intensity.

Weiner's political influence at the Bradley court extends back to 1963 when the CCNY graduate first joined the staff of then-Councilman Bradley. Some City Hall watchers have suggested that Weiner's political influence over the years has been a mix between the fanatic fervor of a Rasputin and the ministerial cunning of a Richelieu. Weiner was the architect of so many Bradley programs, and exercised such control over political organization, commission appointments and scheduling, that his abrupt departure sent a shiver through Bradley partisans who knew his power. Weiner's resignation, which was not requested, left the mayor in tears and mumbling to his staff that his departing aide "was like a brother."

Manuel Aragon, a top administrator and discreet political operative, resigned last year as Bradley's number two deputy to enter private business. Never part of the mayor's inner circle, Aragon remains helpful to Bradley and is thought to be a stabilizing influence in the present internal crisis. (Aragon was succeeded by Grace Montanez Davis, formerly Bradley's human resources and urban programs director.)

Council conflict

The mayor's relationship with the City Council, once smooth (partially because Bradley was the first councilman to "move upstairs"), has become rocky during the past year — and for two primary reasons. One was the upset election of Councilman Zev Yaroslavsky for the West Side seat made vacant by the election of the liberal Ed Edelman to the Board of Supervisors. Yaroslavsky defeated Frances Savitch, a longtime Bradley confidante and staff member, an event which prompted questions whether the mayor was beginning to lose his clout in the liberal, largely Jewish district which had supported him so strongly in 1973. Yaroslavsky subsequently defeated Bradley head-on over the mayor's attempt to fire Municipal Arts Commissioner Anne Sullivan Rehr. An even more significant event occurred last July when a close Bradley ally on the council, Pat Russell, counted votes badly in an abortive coup to unseat veteran Council President John Gibson Jr. of San Pedro. Gibson took his revenge on Russell and her supporters by seeing that some of the mayor's closest allies on the council were banished to obscure and unimportant committees. Much to the consternation of environmentalists and hillside property owners, the new committee chairmen were, in many cases, their traditional enemies.

While rumors about potential challenges to Bradley begin to circulate with more frequency, there is an indication that the mayor faces some frontal hostility from one city employees' group on an issue left over from 1973 —

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What a pollster found . . .

What does the public think of the job Tom Bradley is doing as mayor of Los Angeles? Bradley's popularity was tested by the Corey Research Corporation as an adjunct to a statewide poll taken during the six-day period ending March 4th. The results of this small sample should give supporters reason to believe Bradley can be reelected next year. The poll shows what percentage of Blacks, Chicanos and Caucasians think he is doing a good, fair or poor job.

The statistics:

	Blacks	Chicanos	Caucasians
GOOD	64.7%	40.7%	49.5%
FAIR	25.5	38.9	34.4
POOR	5.9	6.8	7.5
DON'T KNOW	3.9	13.6	8.6

fire protection. Take, for example, the recent public defection from the mayor's camp of the politically powerful Los Angeles Fire Fighters Union — the first major split between Bradley and a union since his inauguration. The fire fighters reluctantly switched their support from Sam Yorty to Bradley during the 1973 campaign on the strength of a promise by the then-councilman to make fire protection one of his top priorities. "Tom Bradley has become our No. 1 adversary. He has not followed through on his campaign promises to our membership. . . . His record and attitude toward public employee unions in general, and fire fighters specifically, is atrocious," said a recent letter from the local's executive board to J. J. Rodriguez, president of the Los Angeles County Federation of Labor, AFL-CIO. "It is only a matter of time before we take on a full-blown campaign against that man," said the executive board which represents 2300 of the city's 3000 firemen. Just which candidate dissident fire fighters or other groups opposing Bradley might support next year remains part of the guessing game.

Potential opposition

Senator Robbins' stronghold is the San Fernando Valley, a traditional breeding ground for anti-City Hall feeling. There is little evidence, so far, that Robbins is having substantial impact anywhere else yet. But other candidates are likely to surface in coming months, depending on how Bradley manages to recoup. Some of the names mentioned frequently at Nikola's and El Adobe, two of the city's political bars, include: Councilman Arthur Snyder, Supervisor Baxter Ward, Los Angeles Police Chief Ed Davis and Tom Quinn, chairman of the state Air Resources Board.

Davis said recently that all he really wanted to be was "a good cop" and noted that he is happy being the honorary mayor of Chatsworth out in the San Fernando Valley. Quinn, whose father Joe was a powerful deputy mayor during the Yorty regime, denies he is interested in the post. But young Quinn is ambitious politically and many observers believe he will run for some office in the next few years, depending on what happens to Jerry Brown.

Bradley appears, on the surface, to be taking the slings and arrows in stride: "The fact of the matter is, I go to bed every night satisfied that I have done the best I could that day on the problems I've been faced with, and I think overall the public measures that kind of performance, and from all I can tell they've expressed satisfaction with it." Popularity polls all during last year gave Bradley very high personal ratings with voters. On the hustings he is still well received throughout the city. And interviews with political operatives in both political parties indicate that, unless the problems that have been festering in City Hall for months can, somehow, be dramatically blamed on him by opponents, Bradley may still be hard to retire next year.

Two to watch

There are two things to watch about Bradley in coming months:

- *How he handles his role as one of four co-chairmen at the National Democratic Convention this July in New York City. The mayor will get major television exposure and, if a Democratic candidate takes the White House in November, some believe Bradley might be in line for a key Cabinet post.*
- *Whether the new chief deputy is from the tight circle of insiders who have been criticized for keeping Bradley aloof from the larger political realities or whether the choice will emanate from outside City Hall, offering a new dimension to get the Bradley ship of state off the political reef on which it rests.*

On balance, it is too early to signal the demise of the Bradley administration. If the mayor were to run today he would be hard to beat, despite a performance which strikes some as more ceremonial than innovative. Events occurring between now and mid-fall may determine the future of this administration and what control, if any, Bradley can exert.

The Journal, television style

The television version of California Journal can be seen each week on eight public-broadcasting stations in California.

The schedule:

Sacramento, KVIE - Channel 6 (originating station) — Tuesdays, 10 p.m.; Fridays, 7 p.m.

Huntington Beach, KOCE - 50 — Thursdays, 6 p.m.

Los Angeles, KCET - 28 — Saturdays, 4 p.m.

Redding, KIXE - 9 — Saturdays, 10 p.m.; Sundays, 5 p.m.

San Bernardino, KVCR - 24 — Fridays, 7 p.m.; Mondays, 1:30 p.m.

San Diego, KPBS - 15 — Fridays, 7 p.m.; Saturdays, 5:30 p.m.

San Francisco, KQED - 9 — Saturdays, 6 p.m.

San Jose, KTEH - 54 — Saturdays, 5:30 p.m.

Times are subject to change. Check your local newspapers each week.

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TEST FOR PUBLIC SCHOOLS

Yet another bargaining board with massive financial problems

By Leah Cartabruno

The state Educational Employment Relations Board (EERB) went into effect April Fools' Day but the only joke was the meager amount of money allocated for carrying out the board's responsibilities. Emanating from the single public-employee collective bargaining bill to pass last year, Senator Al Rodda's SB 160 did away with the Winton Act and established the three-member EERB to administer public school employee relations from the elementary to the community college level. Unfortunately for the new board, there is enough similarity between it and the Agricultural Labor Relations Board (ALRB) for the EERB to suffer by the identification.

Money is the foremost problem. After going through the original $1.3 million appropriation and an additional $1.25 million loan, the ALRB is virtually out of business until a $3.8 million supplement is pried out of the legislature. Legislative Analyst A. Alan Post estimates that the ALRB's 1975-76 expenditures will be $5.2 million. (This includes $80,000 of federal funds for the training of staff.)

The EERB's initial appropriation for January through June 1976 was $300,000. The ALRB 1976-77 funding request is $6.6 million while the EERB is scheduled for only $521,000 — in spite of the provisions that EERB must pay for mediation and fact-finding to reconcile parties in case of impasse. (The Ag Board doesn't have jurisdiction over impasse mechanisms.) Both boards determine bargaining units, conduct representation elections, and hear and decide unfair-labor-practice charges. Further, the EERB must provide public notice and access and devise a system of union reporting and disclosure — two responsibilities not given to the ALRB.

With this issue, Leah Cartabruno joins the Journal *staff as managing editor. For the past seven years, she has been a senior consultant for the state Assembly.*

Procedural problem

There is another variable that should work to mold the EERB into a different form. The ALRB entered an area riddled by violence and characterized by large numbers of employees moving up and down the state with each growing season. Teaching is considered a profession, although at the plebeian end of the spectrum, and, mostly because of tenure, employment is stable. Additionally, the ALRB was legally mandated to adopt National Labor Relations Board (NLRB) procedures where applicable. The EERB is free to take or leave what it wants from the NLRB.

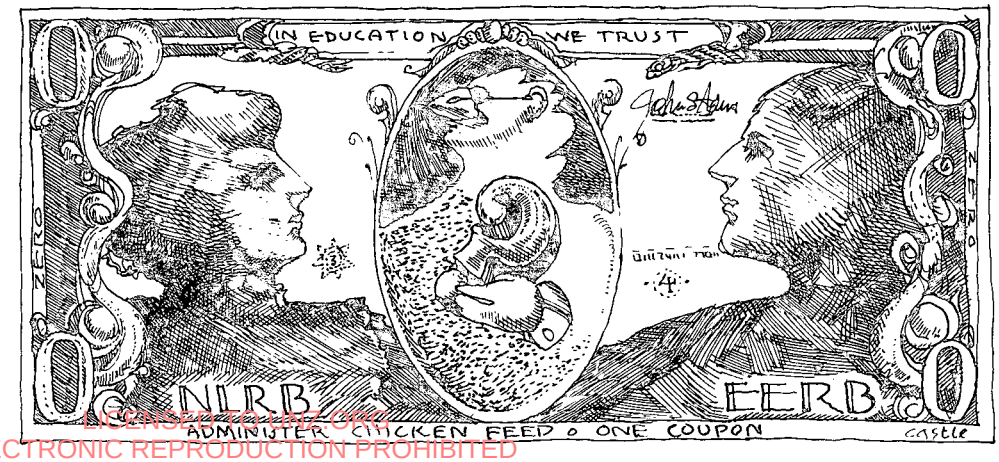
Which NLRB procedures will or won't be used is a subject of much discussion at EERB. Chairman Reginald Alleyne, a law professor who has espoused many innovative ideas, stated he was "intensely" opposed to the use of NLRB procedures. He characterized them as "time consuming, complex, expensive and, on the whole, destructive for the purposes of this statute. . . . They are good for the NLRB but they are not good for this board." Alleyne, an attorney with the NLRB from 1965 to 1969, is reported to be 180 degrees away from board member Jerilou Cossack in approach.

Publicly, Cossack is not advocating wide scale adoption of NLRB procedures but feels "just because it is precedent does not mean you discard it any more than it means you adopt it." Privately, she is said to be pushing for adoption of a number of NLRB procedures. Cossack worked for the NLRB for six years, first as a field examiner and then as a supervising examiner.

This tug-of-war over procedures leaves board member Ray Gonzales on the middle ground. As a former Assemblyman, Gonzales is no novice to the politics involved in being the swing vote. As an educator, he brings unique practical knowledge to the board. Gonzales feels the board should take the best from both approaches and be "neither fish nor fowl." How fast Gonzales absorbs the legal and technical nuances in great part will determine the direction of the board.

The dating game

SB 160 set three separate effective dates for different segments of the statute. The board became eligible to be appointed and start up by January 1, 1976. On April 1, 1976, the provisions dealing with the composition of bargaining units, the rights of individual employees and employee groups, and the procedures for recognition as exclusive bargaining rep-



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resentative were effective. All other provisions do not go into effect until July 1, 1976. This results in two problems.

The first is connected with the extreme financial straits of the board. While petitions for recognition could be filed April 1, there isn't enough money to implement all of the procedural steps. EERB plans call for voluntary recognition of employee organizations by school boards and for elections where there are no competing employee groups, but no contested elections will be held. In July, when more money presumably will be available, schools won't be in session and employees are dispersed. All contested elections must be postponed until fall — too late for most schools' budgeting process. A related problem stems from the unfair-labor-practice section which does not become effective until July 1. Will the EERB have jurisdiction over alleged unfair-labor-practice violations that occur between April 1 and July 1?

Perhaps the biggest potential problem, aside from money, is the scope of bargaining. According to executive director Joe Brooks of the California School Boards Association, his organization insisted any compromise bill had to keep educational policy off the negotiating table. He feels these subjects should be kept open for the public. Employee groups apparently have the attitude that power will determine which topics come up during bargaining. EERB member Gonzales cites this as one of his primary concerns.

Enter the Teamsters

While the EERB struggles to get organized, the unions and associations are out organizing employees. The California Teachers Association (CTA) appears ahead except in some urban concentrations where the California Federation of Teachers (CFT) is strong. Although an AFL-CIO affiliate, the CFT does not have enough money to match the CTA campaign, but it does boast a corps of dedicated volunteer members. The surprise entry is the Teamster Union affiliation by a small group of teachers in a corner of Modoc County. If the CFT can't get more money, the Teamsters may become the alternative for activist teachers not satisfied with CTA's moderate attitude.

Among non-teaching (classified) school employees, the California School Employees Association (CSEA) is making a strong showing, especially in suburban, middle-class school districts. The Service Employees International Union does better in urban districts where employees are more likely to include minorities. CSEA is a 50-year old organization making a laborious switch from being part of the school board's family to being an adversary in the bargaining process. After these organizations, independent employee associations are likely to take the next largest number of classified employees.

An examination of the history of education-employee representation shows that there traditionally have been six or seven separate units of classified employees — not one. The breakdown: clerical, custodial, maintenance, bus drivers (and possibly mechanics), food service, teaching aides, security. Hearts will lurch when the economic implications of this breakdown is realized at the EERB election center and the school boards' negotiating council.

SB 160 contained no appropriation for local costs. The EERB hasn't been allocated enough funds to carry out all its assignments. Some school districts were bordering on bankruptcy before this act was passed. From what source will the money come?

The underlying question is: Is this law going to have an anti-*Serrano* effect? Will this measure widen the expenditure-per-pupil gap among school districts? The school boards' Joe Brooks feels there is no way legislation with new costs and no money can affect every district equally. "If you have a district with 9,000 kids and no wealth and another with 9,000 kids and wealth, the effect is bound to be heavy on the no-wealth district," explained Brooks. "While this was not drafted to be an anti-*Serrano* measure, it may well have that effect." Without any additional money for the EERB and local districts, the April Fools' Day starting date may well be appropriate.

NEWSMAKERS

The Jim and Patti show

Patti Lear Corman, wife of Democratic Congressman **James C. Corman** of Encino, issued back-to-back announcements that she will run for the Congressional seat held by Republican **Barry Goldwater Jr.** and will end her two-year marriage because her husband wants her "in the home but not in the House." She is the daughter of millionaire industrialist **William P. Lear** . . . . Republican Congressman **Andrew J. Hinshaw** of Orange County was sentenced to from one to 14 years in state prison on bribery charges, but he was allowed to remain free pending appeal. Hinshaw refused to resign and filed papers to run for reelection . . . The National Black Political Convention sought Congressman **Ronald V. Dellums** of Berkeley as its candidate for President, but he rejected the nomination.

Percy H. (Pete) Kenealy, retired sergeant-at-arms in the state Senate and former San Francisco police inspector, died at 82. . . . Secretary of State **March Fong Eu** withdrew the nomination of her top lawyer, **S. Wyanne Bunyan,** to the state Fair Political Practices Commission after Bunyan sent a supposedly unapproved legal opinion to local officials on convicted felons voting . . . .

The Democratic Party's state executive committee removed **Robert Schwartz** of Oakland as the party's Northern California chairman following a six-month controversy. He was replaced by **Bert Coffey** of Richmond, a public relations consultant and former Contra Costa County Democratic chairman. . . . **Ronald (Skip) Reagan Jr.** was admitted to the University of California at Berkeley even though his application was a few days late. University spokesmen said the exception was made because of Skip's unusually high qualifications.

Governor Brown announced he will renominate controversial **Raymond Procunier,** target of both left and right, as chairman of the Adult Authority. The nomination was rejected by the Senate last year. The parole board is under fire for releasing **Geza De Kaplany,** San Jose physician who tortured his wife to death with acid. . . . A Senate fight also loomed over the appointment of **Adriana Gianturco** as director of the Department of Transportation, succeeding **Sid McCausland.** Gianturco was described as an enemy of freeways by Senator **Randolph Collier,** chairman of the Senate transportation committee. . . . Brown named Superior Judge **John Racanelli** to the Agricultural Labor Relations Board, but a question was raised whether the state Constitution will allow him to take the post.

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RETREAT OR CHARGE?

Political reform at the critical crossroad

By VIGO G. NIELSEN JR.

If early 1976 is any indication, this year will mark an end of Phase One for the political-reform movement that started primarily as a reaction to Watergate. Almost overnight, the momentum that began two years ago has stopped. In early January, California Common Cause was pushing for public financing of elections and national Common Cause was calling for lobbying regulation and campaign ethics. By March, the California Legislature had killed public finance, Common Cause had decided not to take this issue to the people by initiative, and the national reformers were desperately trying to salvage a strong, independent Federal Election Commission (FEC).

Although judicial decisions have required much of this reexamination, 12 months of experience under the new federal and state laws has also brought numerous counterproductive results to the surface.

The Court's walloping

On January 30, the United States Supreme Court rendered a walloping to government control over electioneering. In *Buckley vs. Valeo,* the plaintiffs, who represented views ranging from those of Eugene McCarthy to James Buckley, had challenged the constitutionality of the 1974 federal law as a restraint on free speech, an invasion of privacy and a discriminatory scheme against challengers and minor parties. Many of the plaintiffs' arguments were similar to those raised over the constraints on civil liberties imposed by many parts of California's Proposition 9. (See "Political Reform as a Danger to Democracy," *CJ*, August 1975.)

The decision invalidated the limitations on campaign expenditures by candidates, their campaigns, and independent political parties, individuals and groups. Declared the Court:

"The First Amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive, or unwise. In the free society ordained by our Constitution it is not the government but the people – individually as citizens and candidates and collectively as associations and political committees – who must retain control over the quantity and range of debate on public issues in a political campaign."

The Court's view was the last and ultimate voice in a series of 1974-1975 decisions nullifying similar state limitations on campaign expenditures. In Hawaii, limits were voided as being greater than necessary to promote principles of equality. In Washington, the Supreme Court threw out campaign limitations as being vague and a direct restraint on free speech. And the Oregon Supreme Court declared unconstitutional candidate campaign limits as not striking at the dangers of politically motivated burglary, spying, defamation, or other Watergate-type sins.

California challenges

The Proposition 9 expenditure limitations were already under challenge in California when *Buckley* was announced. In December, Citizens for Jobs and Energy, a campaign committee opposing the Nuclear Power Plant Initiative (Proposition 15) on the June 8th ballot, filed suit in the Supreme Court to invalidate the overall $1.3 million spending limitation by either side in a proposition contest. The Supreme Court issued a stay order to prevent the Fair Political Practices Commission (FPPC) from enforcing the limitations, and when *Buckley* was decided, the FPPC agreed to let the stay order become permanent.

Chip Nielsen, a San Francisco attorney, contributed an article on Proposition 9 in last July's Journal. *The conflict-of-interest and expenditure-limits portions of this article rely on a California State Bar Journal article co-authored by Nielsen and Joanne Garvey, also a San Francisco attorney. Nielsen, frequently appears before the FPPC on behalf of clients.*

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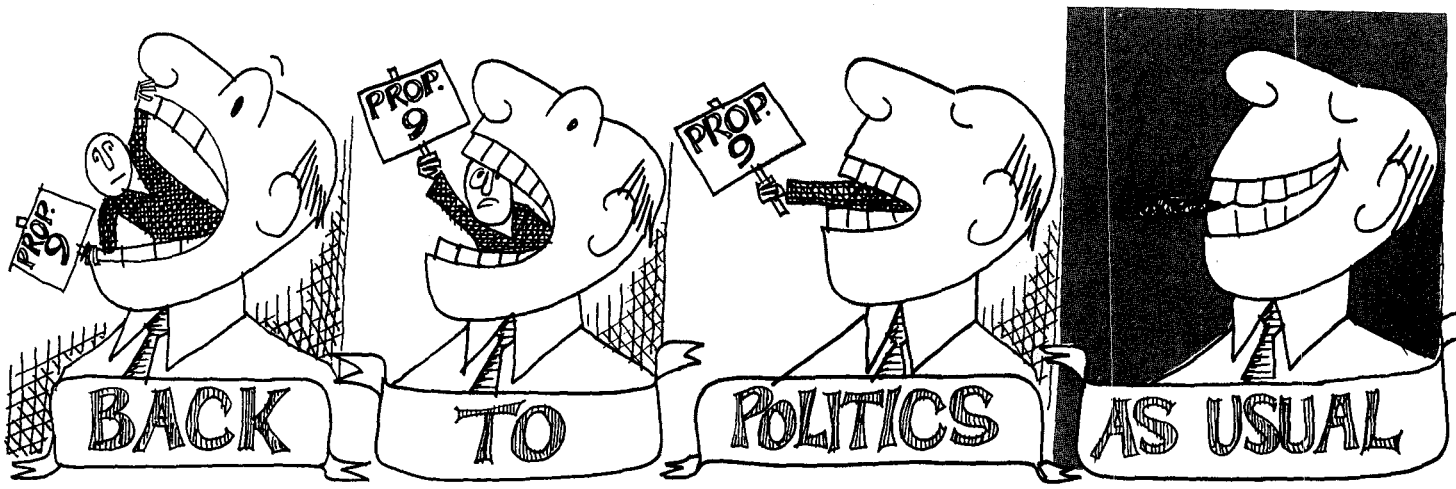

The limitation on the amount which can be spent to qualify an initiative is also under challenge by the Committee for a Two-Thirds Vote on Taxation. A Sacramento County Superior Court judge has issued a complex ruling partly invalidating the limits, but the FPPC plans to appeal.

California courts also have reversed the FPPC's restrictive interpretation of another provision of Proposition 9. To limit the influence of lobbyists, the act prohibits a registered lobbyist from making, acting as an agent or intermediary, or arranging for a campaign contribution to a legislator, constitutional officer or candidate for these offices. In July, the FPPC issued the Donald C. Green Opinion establishing a four-part test whereby a lobbyist would be deemed to have arranged a contribution if he or she merely advised a client who thereafter followed the advice and independently made the contribution. The Institute of Governmental Advocates, a trade association of lobbyists, challenged this interpretation and a Los Angeles Superior Court agreed, ruling that it was an unconstitutional restriction on free speech. The decision was appealed but both the Court of Appeals and the California Supreme Court denied the FPPC's motion for summary relief. The trial ruling is now pending.

The "turn-off" factor

Regulation under Proposition 9 has proceeded for a year, and it is now apparent that many provisions are counterproductive to the purposes of the reform act. According to witnesses who appeared at FPPC meetings held throughout the state in February, volunteerism has been severely hurt and the penalties and restrictions are hitting hardest at the lesser-financed organizations. Fear of harsh penalties for inadvertent violations is causing citizens to drop out of the political process, claim representatives of both political parties and grass-root public-interest lobbying organizations. Even corporation executives have abandoned state government relations to registered lobbyists in order to avoid coming under Proposition 9 themselves. (See "Is Proposition 9 Working?" *CJ*, July 1975.) In fact, if one believes that campaign committees, public officials, and lobbyists are honestly attempting to comply with the new rules, the only people benefiting from the complicated forms, accounting regulations and enforcement mechanisms are attorneys and accountants.

Another problem that is becoming more clear is the growing cost of reform to the taxpayers. The state Chamber of Commerce estimates that the FPPC, Franchise Tax Board, Attorney General and Secretary of State will need over $5 million this year. (The budget for the 44 highest-paid FPPC employees provides an average salary of $17,000.) The FPPC is considering expensive computerization for its reports despite some critics' admonition of "garbage in — garbage out." Also, the Franchise Tax Board is conducting the most thorough lobbyist audits ever undertaken on a group of persons not suspected of illegalities. Audits of the first six reports for 1975 take from two to 18 full days, according to lobbyists audited, with most of the time spent on "nit-picking" technicalities involving under-$100 items. Aside from the lost time, some lobbyists complain that auditors "think we are either immoral or criminal."

The legislative arena

Because of the judicial decisions and the new awareness that changes are needed, both Congress and the Legislature will shortly set the new direction. At the federal level, this process is already underway. The Supreme Court validated all prior decisions of the FEC but invalidated any actions after mid-March (originally March 1, but extended for twenty days) because four of its members are appointed by the Congress and not the President. Many Congressmen are unhappy with past FEC actions and are conditioning their votes on increased Congressional control over the Commission.

In Sacramento, no significant legislation (other than the defeated plan for public funding of legislative and constitutional-office elections) had been introduced by early March. The leadership in this area remained with the FPPC, whose staff has proposed 44 amendments to the law. Although these recommendations (see box) include simplification of present law, they would also launch a new reform drive to impose a different set of government controls. The Commission may not adopt all of these proposals, but, with or without FPPC support, some or all will be introduced before the April 15th deadline for new legislation. Many of these recommendations to simplify and clarify existing law probably will be adopted. The others will have a more difficult time, especially since many legislators are disenchanted with the FPPC and believe that it is arbitrary and capricious in its role as the state's political policeman.

Policeman at work

While approaching the crossroads, the FPPC has been busy during the last six-months of 1975. It has adopted regulations implementing ballot-measure limits (since declared unconstitutional) and reducing the burden for non-legislative lobbyists. But the two most significant accomplishments were the adoption (after five months of study) of the conflict-of-interest regulations and the creation of an investigative and prosecutorial capacity within the Commission.

The statutory conflict-of-interest provisions disqualify an officeholder from participating in public decisions

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where there is a conflict and require the annual filing of reports of assets and income. The disqualification provisions rely on the vague concepts of "materiality," "foreseeability" and "public generally." Public officials are finding that errors can result in large fines, as evidenced by recent accounts of local-governmental officials being sued for not correctly reporting their assets and income. The law prohibits a state or local public official "from making, participating in making, or attempting to use an official position to influence a governmental decision in which such official knows or has reason to know that he has a financial interest." The early-enforcement actions and statements by FPPC Chairman Dan Lowenstein indicate that the conflict-of-interest provisions may constitute the most important chapter of Proposition 9.

The regulations adopted by the Commission attempt to define the critical terms but the impossibility of being precise is illustrated by two FPPC opinions.

An Antioch councilman owned his real estate office and two rental properties within a redevelopment project area and he participated in the county multiple listing service. The FPPC ruled that the councilman was disqualified from voting on redevelopment matters because:

- *the purpose of the plan was to raise values both within and outside the area;*
- *increased sales would result in increased real estate commissions;*
- *probable upgrading of the downtown area would also result in a greater number of property transactions in surrounding neighborhoods;*
- *potential customers might believe he was privy to inside information, and*
- *these possibilities were reasonably foreseeable.*

Subsequently, the FPPC ruled that a Marin Water District director could not consider lifting a water moratorium while he was an officer, salaried employee and stockholder of a local corporation supplying building materials, appliances and fuels in the area. The FPPC held that:

- *the lifting would increase building activity which in turn would provide a significant opportunity to the corporation to increase its sales within the district; and*
- *the financial effect was both material and readily foreseeable, although the corporation had several competitors within the area, and almost any local business would have improved prospects for growth.*

But a decision that makes the official money must still be "distinguishable from its effect on the public generally" to require disqualification. By regulation, the commission has defined this to mean at least a significant segment of the public and has allowed a constitutional officer or legislator to vote on matters that affect his or her own industry, profession or trade without it being considered a conflict. And a member of an advisory or regulatory board (such as an agricultural marketing board) which requires participation by a certain industry, trade or profession may vote on matters affecting that trade or profession. But the latter regulation requires the Legislature to amend the statute creating each board within three years, or the exemption expires. This last regulation was debated for two months and opposed by Commissioners Carol Brosnahan and Tony Miller, who argued that Proposition 9 does not allow an exemption of industry-dominated advisory boards.

The FPPC was too busy making rules in early 1975 to pursue enforcement actively. During this period, enforcement amounted to collection by counties of over $100,000

Reforming the reform

Here is a summary of proposed changes in the Political Reform Act of 1974 (with the sources of the recommendations in parentheses):

General provisions

- Increase legislators' salaries to match members of Congress; decrease fringe benefits and options for outside business income. (FPPC staff)
- Decrease public-supported staff used by incumbents in campaigns. (FPPC staff)
- Prohibit city attorneys from prosecuting city officials to whom they must also render advice. (public)
- Eliminate required reproduction of lobbying reports. (FPPC staff)
- Allow courts to remove officials convicted of political-reform violations. (FPPC staff)
- Require the Fair Political Practices Commission to find intention, willfulness or negligence in order to levy fines. (public)
- Conform Proposition 9 to the federal *Buckley* decision. (public)
- Relate penalties to the magnitude of error and not the value of an asset or the size of a committee. (public)

Lobbyist regulations

- Require only the disclosure of financial transactions with state officials and total of lobbying-related expenditures. (FPPC staff)
- Provide for random audit of lobbyists by normal auditing procedures. (public)
- Allow lobbyists to make gifts to close relatives who are state officials. (FPPC staff)
- Restrict definition of executive-branch agency officials to senior policymakers only. (FPPC staff)
- Increase the threshold for those filing lobbying reports prior to qualifying as lobbyists from $250 to $1,000. (public)

Campaign funds

- Reduce 80 percent of present filings by exempting small campaigns. (FPPC staff)
- Require detailed disclosure of contributions of $100 or more, instead of $50 or more. (FPPC staff)
- Clarify and simplify filing requirements. (FPPC staff)
- Attempt to equalize expenditures on ballot measures by limiting contributions to $250. (FPPC staff)
- Establish rules on the use of surplus campaign funds. (FPPC staff)
- Simplify filing requirements for major donors and political-action committees. (public)

Conflict of interest

- Simplify disclosure statement filings. (FPPC staff)
- Provide a voluntary hearing for an individual prior to a potential conflict. (FPPC staff)
- Establish a 60-day statute of limitations for suits when alleged conflicts of interest occur. (FPPC staff)

About two-thirds of the staff proposals were accepted by the Commission.

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in late-filing penalties, primarily from small campaign committees which inadvertently missed filing deadlines. Then, in November, Secretary of State March Fong Eu announced she was fining lobbyists and lobbyist-employers $73,000 in late penalties. Since no one had been notified as required by law, she is expected to levy only token fines for these 1975 late filings.

By mid-1975, the Commission had hired an investigative staff of three and had adopted a procedure for processing complaints. By the end of 1975, the Commission had received 34 formal (public and the accused notified) and an unknown number of informal (confidential without notification) complaints. On one of its first complaints, the FPPC spent eight months investigating an organization on one side of the nuclear initiative before publicly exonerating it. (Under federal procedures, both sides would have been investigated.) Criticism of the informal-complaint procedure was raised when three lobbyists learned from their clients or from legislators, already interviewed by FPPC investigators, that they were under scrutiny.

If the Commission finds that a Proposition 9 violation has occurred following a preliminary investigation, it schedules a public hearing before an administrative judge and sits as a jury. The first major test of this procedure occurred in connection with a December 1975 special Assembly election in Sacramento, Yolo and Solano counties. The FPPC found violations by both campaigns inadvertent, but fines totaling $850 were levied. The Secretary of State then added another $3,000 in late-filing penalties. Critics of the severity of the fines felt the information reported late could not have influenced the outcome significantly because each candidate's financial support had been well publicized. Chairman Lowenstein, however, felt the FPPC's fines were reasonable. He declared: "The small amount (each fine could have been $2,000) does not mean that we condone the violations, but they reflect our belief that the (additional) fines being imposed by the Secretary of State and the adverse publicity already received constitute substantial punishment in view of our findings that the violations were not intentional. California's other committees and treasurers are certainly now on notice of the disclosure requirements and should not assume that penalties in future cases will be as low." Even more surprising to those who thought the fines were high because all the treasurers were volunteers was a statement by Deputy Attorney General John Gordnier that his office was seriously looking into these violations for possible criminal prosecution.

In addition to late penalties and FPPC fines, the Attorney General, district attorneys, and city attorneys can bring legal action for violations. The Attorney General has already filed one lawsuit against a defeated assemblyman and threatened suit against a large Los Angeles-based fundraising committee. The city attorney of Walnut Creek has recently collected a $6,200 fine from the Walnut Creek Civic League. And according to the Attorney General's office, it expects about 100 additional cases to be filed by state and local enforcement officials this year. Based on the Board of Equalization audits of the 1974 races, over 10,000 cases could have been filed, Gordnier reported.

What philosophy?

The FEC and the U.S. Department of Justice have sought compliance without penalties for initial inadvertent violations. State officials, on the other hand, appear to favor fines with full press coverage. But this awesome power may be curtailed if such practices continue. For example, in late February a state senator publicly expressed his anger when accused of a violation for receiving an allegedly illegal contribution. Senator Robert Presley informed Chairman Lowenstein by letter that he had asked the FPPC staff for guidance and when none was forthcoming, he had returned the check. Even so the same staff brought the complaint against him. And at a March budget hearing Senator Alfred Alquist told Lowenstein the Commission's attitude was "totally demagogic." (The Presley case was dropped by the commission.)

During the first six months of 1975, some members of the Commission and its staff came under criticism (usually from the Peoples Lobby) for alleged improper conflicts of interest. During the following eight months, the criticism centered primarily on Chairman Lowenstein, but for different reasons. As the only full-time, paid commissioner and as co-author of the act, he would have been expected to exercise considerable power. But his detractors claim that he believes his views are synonomous to the actual law. They charge he has annointed himself as California's political czar. In January, when Senator George Zenovich announced he would not vote on a bill that would fund the Agricultural Labor Relations Board because preliminary advice by the Legislative Counsel raised the possibility of a conflict of interest, Lowenstein promptly issued a public letter expressing a "personal opinion" that the Senator could cast his vote. Zenovich, an attorney and farmer, denounced the idea that a commission chairman could tell legislators when they can and cannot vote. Such a practice, he said, amounts to a "tremendous threat to the democratic process" and a "blatant attempt to coerce me." He called for Lowenstein's resignation. A month later, John Henning, spokesman for the AFL-CIO and a subject of an FPPC opinion prohibiting him from being both a lobbyist and a member of the campaign contributions committee, also called for Lowenstein's resignation.

The gripe sheet

Others more detached from the sting of the Lowenstein leadership also cite examples of how they believe he interprets the law to accomplish his view of what the statutes should compel. For example, he has warned lobbyists not to attend campaign dinners (legal if they have not arranged for the tickets), and he has urged campaign committees to avoid the use of non-revealing names (like Good Government Committee).

A similar criticism has been leveled against the Commission as a whole, most recently by resigning Commissioner Tony Miller. He charged that the Commission lacks a consistent philosophy, does not strictly adhere to the word and spirit of the law, and is close to "turning off" political activity instead of reforming it.

Miller's public blast also raises the question whether a deeper schism permeates the Commission's private sessions. A week after Miller's resignation, Commissioner Carol Waters followed suit, also for personal reasons. With holdovers Carol Brosnahan, a Continuing Education of the Bar attorney, and Richard (Bud) Carpenter, retired executive director of the League of California Cities, Lowenstein and the replacements for Miller and Waters will have to decide which path to choose at the crossroads. The Legislature will then accept and support or reject and redirect the administration and enforcement of political reform in California.

If the Legislature and Congress agree that the 1974 laws over-reacted to the problem, remedial legislation will be enacted. If they do not and if they wish to proceed with new controls, Phase Two will be launched to experiment with how far government can control political expression.

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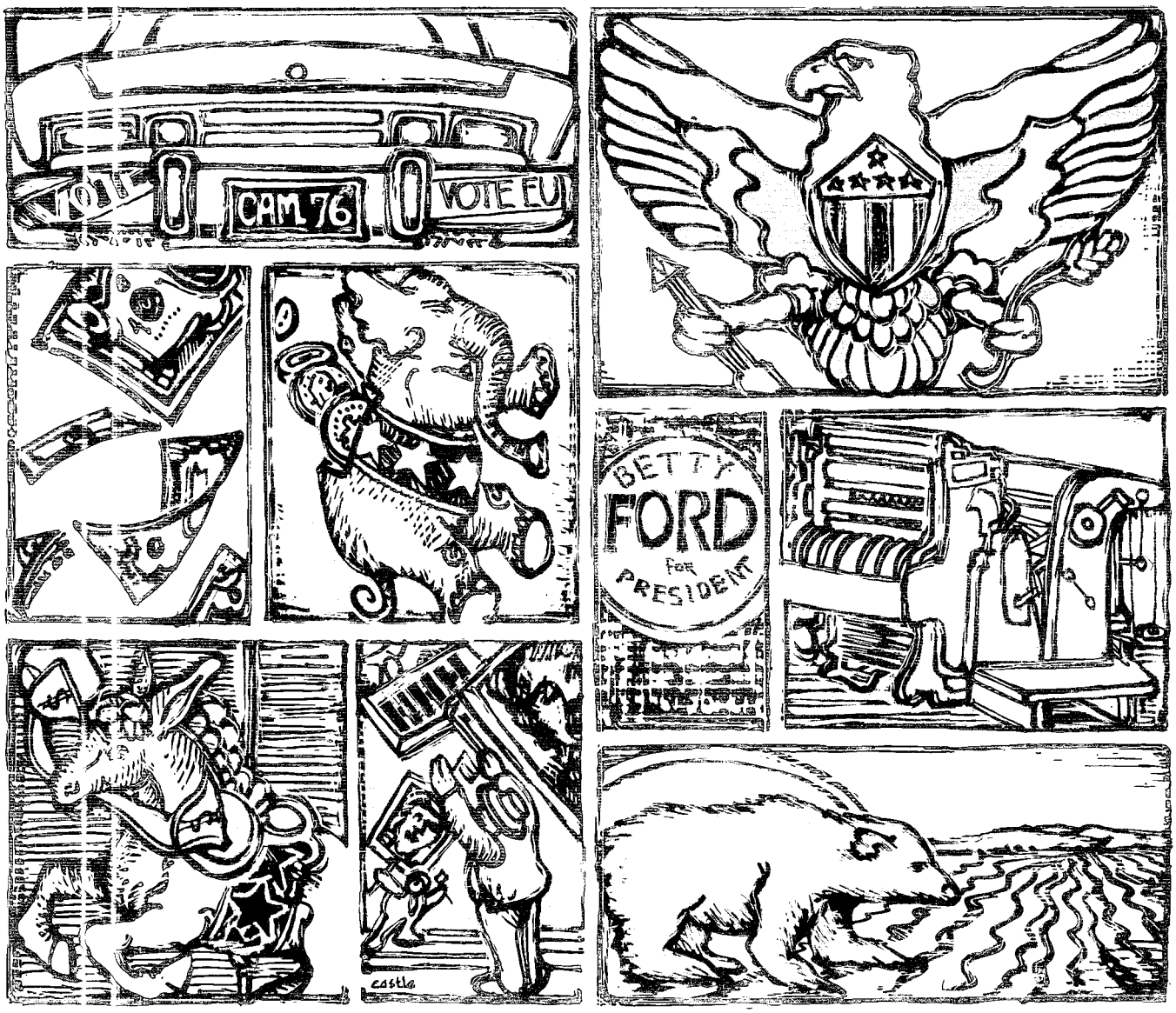
CALIFORNIA JOURNAL

PRACTICAL GUIDE TO STATE AND NATIONAL CAMPAIGN REFORM LAWS

By LANCE OLSON



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Introduction

Three months ago there took place an unprecedented event in California political history. Two candidates and their supporting committees were found guilty by an administrative agency of violating California's new campaign disclosure and reporting law, the Political Reform Act of 1974, placed on the books through voter approval of Proposition 9. The finding, which followed an aggressive investigation, resulted in fines totalling nearly $1,400 for participants in a special election to fill a vacant Assembly seat.

In imposing the fines, the Fair Political Practices Commission, the enforcement and interpretive agency created by Proposition 9, served notice it would deal harshly even with "inadvertent" reporting errors, including the failure to file reports on time or to report "late" contributions. "The small amount of the commission's penalties does not mean that we condone the violations," warned FPPC Chairman Dan Lowenstein. "Committees and treasurers are certainly now on notice of the disclosure requirements and should not assume that penalties in future cases will be as low," he added.

The California Attorney General too has been active in enforcing campaign reporting and disclosure statutes. In 1975, his office criminally prosecuted the Fresno County sheriff for violating the Waxman-Dymally Campaign Disclosure Act (predecessor to Proposition 9). John Gordnier, a prosecuting deputy attorney general in the campaign field, estimated there may be presently as many as 100 cases pending at the local and state level for alleged campaign misdeeds. Gordnier also confirmed that his office seriously considered filing criminal action in the special Assembly election before concluding that administrative action by the FPPC would be sufficient punishment.

Enforcers all

As if Proposition 9's drafters were not completely satisfied with leaving enforcement of the Act up to the AG and FPPC alone, the Secretary of State and local officials are given authority (and in certain instances are required) to impose penalties for failure to file proper reports on time. In addition to the nearly $1,400 in penalties imposed by the FPPC, the special election candidates and committees were socked with $3,000 in late filing fees by the Secretary of State. (Late filing fees have proved to be a lucrative source of income for many local municipalities, first under Waxman-Dymally and then Proposition 9.) The California Franchise Tax Board is required by Proposition 9 to audit almost all state races. Last year the Board of Equalization (which was relieved of its auditing functions by the Franchise Tax Board) audited some 1,200 campaigns conducted in 1974 under Waxman-Dymally. According to Deputy Attorney General Gordnier, "I could have filed 10,000 cases based on Board of Equalization audits."

At the federal level, Congress has required financial campaign disclosure and reporting by federal office seekers since 1971. In 1974, Congress created the federal Election Commission (which must be restructured under a ruling by the United States Supreme Court) to oversee interpretation and enforcement of federal campaign laws. Since passage of the Federal statutes, literally thousands of alleged violations have been referred to the Department of Justice and Federal Election Commission.

The task ahead

Does all this mean that candidates and political committees at all levels of government face an almost insurmountable task of complying with a set of complex and confusing rules? Possibly. More likely it means that candidates and political committees can no longer take lightly their responsibility to report accurately and timely their financial activities. Most importantly, it means that the burden of compliance rests almost entirely upon the shoulders of those who venture into the political thicket.

This concise guide, in question-and-answer format, was prepared to assist those who still feel that the rewards of winning outstrip the perils of inadvertent violation of campaign regulations. It is not intended to be a comprehensive source of information designed to answer all questions required for compliance with state and federal law. Instead, its purpose is to alert readers to potential problem areas, suggest where further information might be sought and emphasize that the field of campaign regulation is covered with hidden hazards and should not be crossed without detailed knowledge of the territory.

Lance Olson, a frequent contributor to the *California Journal*, is the publisher of the *Campaign Law Reporter*, published by California Research, 1024 10th St., Sacramento 95814. The *Reporter* provides a monthly newsletter service and a reference manual on federal and state political-practices laws, including detailed coverage of the Federal Election Commission and the California Fair Political Practices Commission.

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CALIFORNIA LAW

What is the basic purpose of the Political Reform Act's campaign provisions?

According to Proposition 9, the "receipts and expenditures in election campaigns should fully and truthfully be disclosed in order that the voters may be fully informed and improper practices may be inhibited." To accomplish that purpose the Political Reform Act requires candidates, persons thinking of running for office, committees supporting candidates for state and local office, and committees supporting or opposing ballot measures to file periodic reports disclosing detailed financial contribution and expenditure information.

Who must file

At what level of government does the Political Reform Act apply?

Proposition 9 applies to candidates, committees, elected officeholders and committees supporting or opposing ballot measures at ALL levels of state and local government. Thus, candidates for school board as well as state office seekers are covered by the Act. Even elections to county central committees of political parties are included. And committees supporting or opposing county or city propositions are covered by Proposition 9 the same as committees involved with a statewide ballot measure election.

Who is an elected officeholder?

Any individual who holds a state or local elective office is an elected officeholder. This includes state, county, city, judicial, special district and county central committee offices.

Who is a candidate?

Proposition 9 broadly defines "candidate" to include not only individuals who are listed on a ballot, but also individuals who

1. have qualified to have write-in votes counted,
2. have received a contribution or made an expenditure to get themselves nominated or elected to any elective office (even though they have not declared their candidacy for the office or later changed their minds),
3. have consented to permit other persons to receive a contribution or make an expenditure on behalf of themselves, or
4. are the subject of a recall election.

The definition of "candidate" includes not only winning but also losing and write-in candidates.

What is a committee?

Under California law there are three types of committees which must file campaign reports. An individual, firm, business, partnership, corporation, association, trust, company or any other organization or group of individuals acting together may become a committee. They must be acting for the purpose of influencing voters for or against a candidate or any ballot measure. If they do any of the following in a calendar year they will become a committee:

1. **Recipient Committee** —raise $500 or more in a calendar year.
2. **Expenditure Committee** —spend $500 (as distinguished from contributing cash or checks to a candidate or other committee) in support of a candidate or measure in a calendar year or make an in-kind contribution of goods and services of $500 or more to a candidate or measure committee or repay a candidate or committee loan totalling $500 or more.
3. **Major Donor** —cumulatively contribute or loan $5,000 or more in cash or cash equivalents directly to candidates or committees.

Most political committees are "recipient committees" in which individuals collect $500 for later use in an election. The "expenditure committee" is less common, but usually includes situations in which someone has donated office space or other in-kind services of $500 or more to a candidate or ballot-measure committee or in which someone has spent over $500 or more of personal funds directly on behalf of the candidate or ballot measure (such as purchase of a newspaper ad, billboard or radio spot). "Major donor" committees generally include those affluent individuals or corporations contributing $5,000 or more directly to candidates or ballot-measure committees. The $5,000 need not be to one individual or group, but is the total contributed to all candidates (state or local) and committees.

Can one individual be a committee?

Yes. An individual may become either a "recipient committee," an "expenditure committee," or a "major donor committee."

Must the committee register?

Only "recipient committees" must register by filing a Statement of Organization. And they must do so with the Secretary of State within 10 days of receiving $500 or more. The Secretary of State will assign a number to the committee which must be used on all campaign

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reports. If the committee goes out of business it must notify the Secretary of State in writing.

Can the committee amend its Statement of Organization?

Yes. In fact, if the information on the Statement of Organization changes, the Secretary of State must be notified within 10 days in writing.

Must a committee have a treasurer?

Yes. ALL committees (recipient, expenditure and major donor) must have treasurers. No contribution or expenditure may be accepted or made by a committee without a treasurer. The treasurer has responsibility for registration, record keeping, filing of campaign reports, receipt of contributions and approval of expenditures. Personal funds may not be mixed with campaign funds. Contributions received by agents of the committee (i.e., persons working for the committee) must be promptly reported to the treasurer.

Must all candidates have committees?

No. There is no requirement that a candidate form a "recipient committee" on his or her behalf. However, the candidate must still file a campaign statement disclosing receipts and expenditures similar to a "recipient committee." If the candidate does form a committee (example: Friends of Jones) and it registers with the Secretary of State, he or she must still file a candidate campaign statement even though all contributions received and expenditures made are disclosed on the committee's statement. The candidate's statement would simply indicate no transactions.

Must persons attempting to qualify a ballot measure (local or state) meet special filing requirements?

Yes. Proponents of proposed ballot-measures must file campaign statements whether they succeed in qualifying the measures or not. This requirement applies whether or not the proponents qualify as a "committee."

What must be disclosed

Are specific forms available to be used by those required to file?

Yes. The following forms must be used:

FORM 470:
CANDIDATES' CAMPAIGN STATEMENT, SHORT FORM.
This form may be used only by those candidates and elected officeholders who have neither raised nor spent more than $200 or in whose behalf not more than $200 has been raised or spent since the date of the most recent post-election statement or since January 7, 1975 if the candidate or elected officeholder has not previously filed a post-election statement.

FORM 430:
CANDIDATE'S CAMPAIGN STATEMENT.
This form must be used by all candidates and elected officeholders not eligible to use the short Form 470.

FORM 410:
STATEMENT OF ORGANIZATION.
This form must be filed by all committees which receive contributions of $500 or more during a calendar year ("Recipient Committees"). "Expenditure Committees" and "Major Donor Committees" do not file Statements of Organization.

FORM 420:
COMMITTEE CAMPAIGN STATEMENT.
This form may be used by any committee. However, committees which receive a cumulative contribution of $50 or more from a single source must file this form.

FORM 440:
MAJOR DONOR'S CAMPAIGN STATEMENT.
This form may be used only by "Major Donor Committees."

FORM 450:
ASSOCIATION CAMPAIGN STATEMENT.
This form may be used by "Recipient Committees" if no single source contributes $50 or more cumulatively since the committee filed its last post-election statement. If single-source contributions of $50 or more have been received, Form 420 must be used.

FORM 460:
COMMITTEE SHORT FORM.
This form may only be used by "Expenditure Committees."

FORM 420 or 450:
May be used by proponents of ballot measures.

What must be disclosed on a campaign statement?

In summary form, the total of all monetary contributions, unpaid loans, non-monetary contributions, payments, accrued expenses and cash on hand. In addition, separate schedules must be completed disclosing all monetary contributions from "committees" and others, all loans received and repaid (or forgiven), all non-monetary contributions, all pledges, all payments made to "committees" and to others, and all accrued expenses.

Must certain transactions be disclosed in detail?

Yes. All contributions received (monetary and non-monetary), all loans received, all pledges, all payments and all accrued expenses of $50 or more must be itemized. Monetary contributions from committees of $50 or more must include the date received, name of committee, the committee's registration number, the amount and the cumulative

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amount to date. Monetary and non-monetary contributions and loans from others of $50 or more must list the date, name and address, occupation and employer of the contributor, amount and cumulative amount to date.

What is a contribution?

The word "contribution" includes a payment, gift, advance, dues, loan, enforceable promise of money or anything of value (pledge) unless it is clear from the surrounding circumstances that it is not made for a political purpose. It includes purchases of tickets for dinners and other fund-raising events, the candidate's own money, discounts or rebates not available to the general public, services of an employee donated by his employer, forgiveness of a loan or payment of a loan by a third party, and a transfer of anything of value from one committee to another committee.

Does "contribution" include voluntary personal services?

No. A "contribution" does not include volunteer personal services provided without compensation and payments made by an individual for personal travel expenses, if these payments are made voluntarily, without any understanding or agreement that they will be repaid.

How do you determine the value of a non-monetary contribution?

The fair market value of goods or services contributed to the campaign determines the amount of a non-monetary contribution.

If a contribution from a third person is delivered by someone other than an agent of the campaign (persons working in the campaign are generally considered agents), what must be reported?

If someone other than an agent of a campaign delivers a contribution from someone else, both the original contributor and intermediary must be disclosed on the campaign statement regardless of the amount of the contribution. Thus, even a $10 contribution brought to the campaign by an intermediary must be itemized in full.

What is a pledge?

A pledge is an enforceable promise (i.e., contract) to make a contribution to the campaign.

How should expenditures made to an agent or independent contractor (e.g., an advertising agency) be reported?

Expenditures to an advertising agency (or anyone else who does not provide the actual goods or services to the campaign) must be itemized to show both the person receiving payment from the campaign and the person performing the service. Thus, a payment of $5,000 to an advertising agency must show not only this expenditure, but also the entities actually providing the services (television and radio stations for advertising spots, for example). The amount paid to the entities providing the service must be itemized regardless of whether it is $50 or more. The payment can be reported as a single total amount paid to an agent if the agent is also filing a statement disclosing the expenditures.

What is meant by "cumulative amount"?

As noted above, certain campaign transactions (contributions, loans) require the disclosure of cumulative amounts. Cumulative amount means the combined amount contributed or loaned from a single source since the "closing date" of the last campaign statement (known as a post-election statement) of the most recent past election. (Note: The "off-year" statements, discussed below, due in July and January are not post-election statements.) If a filer has never filed a post-election statement, then the cumulative amount would begin from January 7, 1975 (effective date of Proposition 9) and end on the closing date of the present statement.

If a person contributes less than $50 during the first reporting period of an election and later contributes enough to equal or exceed $50, must the contributor then be disclosed individually?

Yes. This is how the cumulative amount works. Once a person equals or exceeds $50 in a single election he must be individually disclosed on the next statement for that election.

Does election mean a primary and general combined or a special and runoff combined?

No. Each election (primary, general, special, runoff) is considered a separate election. Thus, the only relationship between successive campaigns (primary – general) is the beginning cash balance. In other words, each campaign begins anew in reporting receipts and expenditures.

What is a closing date?

At the end of each reporting period in an election (there are three in each election) a date is set through which all campaign transactions must be reported. Generally the closing date is three days prior to when the report is due.

When to file statements

How many campaign statements must be filed in a primary or general election for candidates?

Elected officeholders, candidates and committees supporting or opposing candidates must file two pre-election statements (40 and 12 days prior to the

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election) and one post-election statement (not later than 65 days after the election). The candidate filing deadlines for the 1976 primary and general elections:

PRIMARY ELECTION — JUNE 8, 1976		
BEGINNING DATE	**CLOSING DATE**	**FILING DEADLINE**
Closing date of last post-election statement if filed on an election from 7/1/75 through 12/31/75 OR		
1/ 1/76	4/26/76	4/29/76
4/27/76	5/24/76*	5/27/76
5/25/76	8/ 5/76	8/12/76
GENERAL ELECTION — NOVEMBER 2, 1976		
BEGINNING DATE	**CLOSING DATE**	**FILING DEADLINE**
8/ 6/76	9/20/76	9/23/76
9/21/76	10/18/76*	10/21/76
10/19/76	12/30/76	1/ 6/77

**See special reporting requirement for late contributors of $1,000 or more later.*

What are the filing dates for committees supporting or opposing ballot measures?

Committees supporting or opposing ballot measures (local or state) must file two pre-election statements (35 and 7 days prior to the election) and one post-election statement (not later than 70 days after the election). The filing deadlines for committees supporting or opposing ballot measures in 1976:

PRIMARY ELECTION — JUNE 8, 1976		
BEGINNING DATE	**CLOSING DATE**	**FILING DEADLINE**
Closing date of last post-election statement if filed on an election from 7/1/75 through 12/31/75 OR		
1/ 1/76	5/ 1/76	5/ 4/76
5/ 2/76	5/29/76*	6/ 1/76
5/30/76	8/10/76	8/17/76
GENERAL ELECTION — NOVEMBER 2, 1976		
BEGINNING DATE	**CLOSING DATE**	**FILING DEADLINE**
Closing date of last post-election statement if filed on an electin from 7/1/75 through 12/31/75 OR		
1/ 1/76	9/25/76	9/28/76
9/26/76	10/23/76*	10/26/76
10/24/76	1/ 4/77	1/11/77

Do separate filing dates apply to special elections and runoffs?

Yes. A different schedule for the filing of campaign statements must be followed in the case of a special election or any other election for an office for which there is, or may be, a runoff within 60 days of the first election.

The pre-election statements are due:
33 days prior to the first election;
7 days prior to the first election;
7 days prior to the runoff.
The post-election statement is due:
65 days after the runoff.

The "closing date" for the three pre-election statements is three days before the filing deadline. The closing date for the post runoff statement is seven days before the due date.

A candidate who is unsuccessful in the special primary election and is not a candidate in the runoff election, need not file the campaign statement between the primary and the runoff. But the candidate must file a post-election statement no later than 65 days after the final election.

When do committees which support both candidates and ballot measures file?

These committees may choose the filing schedule for either candidates or ballot measures, but they must follow one timetable consistently throughout each election.

Must multi-support committees (committees which contribute to several candidates and ballot measures) file in each election in which they contribute?

Yes. Not only must committees which contribute to a campaign file campaign statements disclosing contributions in that election, but they must continue to file for the remainder of that election – even though they do not again contribute. Thus, if a committee contributes money to three separate local elections in the 1976 primary during the first reporting period, but does not contribute again, the committee must still file the next pre-election report and the post-election report for each of the three separate elections.

Must contributions received in the last two weeks before an election be reported?

Yes, if the contribution is $1,000 or more. The contribution must be reported in writing within 48 hours of receipt.

Must campaign statements be filed at times other than during elections?

Yes. Proposition 9 requires two semi-annual "off-year" reports to be filed by elected officeholders during non-election years. The officeholder must file even though he or she has not received a contribution nor made an expenditure. However, if the officeholder filed

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a campaign statement in connection with any other election during the preceeding six-month period, he or she need not file an "off-year" statement.

All candidates who are not officeholders are required to file "off-year" campaign statements if they have received contributions, made expenditures or given their consent for any other person to receive contributions or make expenditures with the aim of bringing about their nomination or election to any elective office. If they were required to file campaign statements in connection with any election or elections held during the six-month period, they need not file an "off-year" statement for that period.

All committees, "recipient," "expenditure" and "major donor," supporting state and local candidates or supporting or opposing ballot measures must file "off-year" campaign statements if they have received contributions or if they have made expenditures in support of or opposition to candidates or measures. If they were required to file campaign statements in connection with any election or elections held during the six-month period, they need not file an "off-year" statement for that period.

Are there exceptions to the number of campaign statements which must be filed?

Yes. Elected officeholders whose salaries are less than $600 in a six-month period and judges need not file "off-year" campaign statements unless they receive contributions or make expenditures during the period. Incumbent candidates for judicial offices whose names do not appear on the ballot because they are unopposed need file only a single post-election statement after the general election. This statement must cover both the primary and general election and must be filed within 17 days after the general election. Committees supporting or opposing such candidates, however, must file pre-election and post-election campaign statements. A candidate for county central committee who receives no contributions need file only one statement within 38 days following the election. If the candidate has received contributions for that election, the candidate must file three statements, two before and one after the election.

Where to file statements

Where must campaign statements be filed?

Campaign statements should be filed as follows: Statewide candidates, state central committees of political parties, and supporting committees, or supporting or opposing statewide measures: Original plus one copy with the Secretary of State, P. O. Box 1467, Sacramento, CA 95807; two copies with the clerk of Los Angeles County (or registrar-recorder of Los Angeles County, Campaign Reporting Unit, 808 No. Spring St., Los Angeles, CA 90012); two copies with the clerk of the City and County of San Francisco (or registrar of voters of City and County of San Francisco, Campaign Statements, Room 155, City Hall, San Francisco, CA 94102).

Candidates for Legislature, Superior Court, and State Board of Equalization and supporting committees: Original and one copy with the Secretary of State; two copies with the clerk of the largest county by population which in whole or part is included in the election district (or officeholder's district), and two copies to the clerk in candidate's county of residence or the domicile of the donor committee (out of state file in Los Angeles). No more than two copies go to any one county. Committees supporting more than one candidate file only in the largest county represented and not in the largest county of each candidate's district.

Other multi-county candidates and measures and supporting committees: Original and one copy with the clerk of the county having the largest population; two copies with the clerk of the county where the candidate (officeholder) resides or where the committee is domiciled (see rules above).

Single city candidates and measures and supporting committees: Original and one copy with the city clerk.

Single-county candidates and measures and supporting committees:Original and one copy with the county clerk.

County central committees: Original and one copy with the Secretary of State; two copies with the county clerk.

How may the statements be filed?

Campaign statements may be either hand delivered on the day of the deadline or sent first-class registered mail (not certified) on the day the report is due.

Prohibitions

Does Proposition 9 prohibit anonymous contributions?

Only if the anonymous contribution equals $50 or more in a calendar year. Any contributions above that amount must be turned over to the Secretary of State.

Does Proposition 9 limit cash transactions?

Yes. No monetary contribution or expenditure of $50 or more may be made in cash. Transactions of $50 or more must be made by check or other instrument containing the payee's or donor's name.

Are lobbyist contributions prohibited to state candidates?

Absolutely. In addition, a lobbyist may not act as an intermediary for a campaign contribution or "arrange for" a contribution. State campaigns are equally prohibited from accepting lobbyist donations.

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Lobbyists may, however, contribute to local and federal elections and ballot measures.

What must be printed on campaign materials?

California Election Code (not Proposition 9) requires that the name and address of the printer and publisher (i.e., campaign committee) be on all printed campaign materials (brochures, envelopes, letterheads, buttons, lawn signs, etc.). A union bug is not sufficient to identify the printer. In addition, any campaign literature which is designed to injure or defeat any candidate by reflecting upon his or her personal character or political action must have the name and address of at least two officers of the organization publishing the literature.

Are there rules governing mass mailings by campaigns?

Yes. All mass mailings (200 pieces or more mailed in a calendar month) must be posted by a postage meter, sent bulk mail or have shown on the envelope and at least one insert piece the sender's name and address in a six-point type or larger. Copies of mass mailings in support of or opposition to a state candidate or state ballot measure must be sent to the Fair Political Practices Commission on the same day it is mailed to the general public.

Are there limitations on what anyone may contribute to a candidate or ballot measure campaign?

California law imposes no restrictions on how much any one person (except lobbyists) or organization may give to a political campaign at the state or local level. Unlike federal law, corporations and labor unions are not prohibited from contributing to state or local races by state law. Nor are candidates limited by what they may give to themselves. However, some local jurisdictions have restricted the amount persons, corporations and unions may contribute in local elections.

Does California law restrict expenditures by campaigns?

Purportedly, Proposition 9 restricts expenditures by statewide constitutional officers and committees qualifying, supporting or opposing statewide ballot measures. However, the United States Supreme Court's recent ruling in Buckley v. Valeo *has apparently invalidated these provisions in the Political Reform Act and any expenditure limitations imposed by local ordinances. Proposition 9 did not attempt to limit campaign expenditures for legislative or local races.*

Miscellaneous

Must candidates and committees be concerned with tax considerations?

Yes. The diversion of campaign funds to personal use will make it taxable as income. And any income over $100 per year (interest, dividends, sale of assets, etc.) earned from contributions requires the candidate officeholder or committee to pay income taxes. Also, certain Internal Revenue Service rules must be followed to allow contributors to take the $100 tax deduction or $50 tax credit permitted under federal law.

Will campaigns be audited?

The Franchise Tax Board MUST audit all the following candidates and committees (which file campaign statements with the Secretary of State):

Each CANDIDATE who has received more than 15% of the total vote cast for the office for which he or she was running in either the general or special election.

Each CANDIDATE running in a primary, general or special election for whom the Franchise Tax Board determines that more than $25,000 has been spent, whether by the candidate or a committee supporting the candidate or both.

All COMMITTEES supporting candidates specified above and committees supporting more than one candidate required to be audited as set forth above.

Each COMMITTEE required to file statements with the Secretary of State (except for "major donors") which the Franchise Tax Board determines has spent more than $10,000 in any calendar year.

Must candidates disclose certain personal financial activities?

Yes. Proposition 9 requires financial disclosure of income, investments and real property by candidates and officeholders at both state and local levels.

Are campaign laws at other levels of government applicable?

Yes. Many California local governments have enacted comprehensive campaign ordinances which add regulations beyond Proposition 9. The local ordinances should not be overlooked.

Other Journal publications

California Journal Roster and Government Guide, 12-page pamphlet. Single copy, 75 cents; 2-39 copies, 40 cents each; 40-99 copies, 30 cents each; 100 or more copies, 25 cents each.

California Journal Practical Guide to State and National Campaign-Reform Laws, 12-page booklet. Single copy, $1; 2-10 copies, 75 cents each; 11-99 copies, 50 cents each; 100 or more copies, 40 cents each.

June Ballot-Proposition Analysis, pamphlet explaining the pros and cons of the Nuclear Power Plants Initiative and the other 14 measures on the June 8th ballot (available in May). Single copy, 75 cents; 2-10 copies, 50 cents each; 11-99 copies, 40 cents each; 100 or more copies, 30 cents each.

California Journal Almanac of State Government and Politics, 176-page paperback book. $3.13 per copy, including sales tax.

California Politics and Government Annual, 124-page paperback book designed primarily for classroom use. $3.13 per copy, including sales tax.

The American Presidency in Political Cartoons, 1776-1976, 278-page paperback book published by the University of California Art Museum. $5 per copy, including tax, postage and handling.

Send all orders to the California Journal, 1617 10th St., Sacramento 95814.

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FEDERAL LAW

NOTE: Congress was considering changes in the federal election law as this guide went to press. The following summarizes the law prior to any such amendments.

What is the basic purpose of the Federal Election Campaign Act?

The federal law requires candidates, political committees and, in some instances, individuals to keep full and accurate records of political financial transactions and to file periodic public reports disclosing these transactions. The law also sets limits on the amount of money individuals and groups may contribute to federal candidates. It further provides public financing for qualifying presidential campaigns.

Didn't the recent United States Supreme Court Decision (*BUCKLEY v. VALEO*) invalidate portions of the Federal Election Campaign Act?

Yes. The United States Supreme Court declared unconstitutional the limits placed on what candidates could spend on their campaigns. (Limits remain on presidential campaigns accepting public financing.) The court also removed limits on what individuals or groups could spend on behalf of a candidate independent of that candidate's campaign. Finally, the court invalidated the Federal Election Commission (although Congress has time to correct this defect), the body charged with enforcing the law. However, the Court did uphold several aspects of the Act, including the contribution limitations placed on individual givers, the reporting and disclosure provisions and the public-financing portions.

Who must file

Who must file campaign statements under federal law?

Only candidates seeking election to federal office (President, Vice-President, United States Senate and House of Representatives), political committees supporting those candidates and certain private groups involved in federal elections are governed by the filing requirements of the Federal Election Campaign Act.

Are candidates for state or local office and their committees required to file federal campaign statements?

No. Note, however, that if receipts and expenditures for state or local candidates are not segregated from those for federal office seekers, all must be reported under federal law.

What constitutes an "election" under federal law?

The term election includes not only general, primary, special and runoff elections, but also conventions, caucuses and preference primaries.

Who is a Federal candidate?

An individual who seeks nomination or election to a federal office is considered a candidate. This occurs when an individual

1. *takes action to qualify for nomination or election to federal office or*
2. *receives contributions or makes expenditures, or gives consent to others to receive contributions or make expenditures with the view of bringing about his or her election to federal office.*

Are all federal candidates required to designate a campaign committee for reporting purposes?

Yes. All candidates for federal office must designate a political committee as the principal campaign committee. This principal campaign committee may not support more than one candidate.

What is a political committee?

A political committee is any committee, club, association or group of persons receiving contributions or making expenditures that total more than $1,000 (similar to California's "recipient committee") for federal elections during a calendar year. Federal law does not define as committees persons or groups which directly contribute money (California's "major donor committee") or which independently make expenditures on behalf of a candidate (California's "expenditure committee"). However, these persons may still have to report.

Must a political committee have both a chairman and treasurer?

Yes. Contributions may not be received when there is a vacancy in one of these offices. Further, all expenditures must be authorized by one of these officers or appointed agents.

Must political committees register?

Each political committee which anticipates receiving contributions or making expenditures totalling more than $1,000 during the calendar year must register with the Federal Election Commission within 10 days after its organization or 10 days after it determines it will receive or expend over $1,000. The FEC will assign a registration number to each committee. The FEC has proposed that political committees supporting only

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Senate or House candidates register with the Secretary of the Senate or the Clerk of the House, respectively.

Must a candidate register?

The FEC has proposed that once an individual becomes a candidate he must file a Statement of a Candidate for Nomination or Election to Federal Office with the FEC. The candidate must designate his principal campaign committee at this time.

Must a person (other than a political committee or candidate) file a campaign statement with the Federal Election Commission?

Any individual, association or group which makes an expenditure (other than to a political committee or candidate) of more than $100 in a calendar year must file a statement with the FEC. The statement contains the same information required of political committees. While this provision is similar to California's "expenditure" committee, a person who makes more than a $100 contribution or expenditure is not a "committee" under federal law. If the person contributes the money directly to the federal candidate or political committee he need not file a statement regardless of the amount.

What must be disclosed

Are forms available for persons required to file?

Yes. Forms are available from the Federal Election Commission. They are entitled "Report of Receipts and Expenditures" and can be used by political committees, candidates and persons spending over $100 (other than for a contribution to a candidate or political committee).

What information is required to be reported by a candidate or political committee?

In summary form, the total of all contributions, expenditures and cash on hand.

By item, all transfers to and from other political committees or federal candidates.
By item, all contributions over $100 – including contributor's name, home address, occupation, principal place of business and date of contribution. (In addition, in-house records must be kept of all contributions over $10 – including name, resident address and date of contribution.)
By item, all expenditures over $100 – including the recipient's name, resident address, occupation, principal place of business, date and amount and purpose of expenditure.
The amount and nature of all debts owed to or by the committee.

What constitutes a contribution under federal law?

Any gift, subscription, loan, advance or deposit of money, or anything of value, made for the purpose of influencing federal elections is a contribution. A written pledge or promise to make a contribution is a contribution as is a "contribution in-kind," such as the use of office space, machinery, equipment, or the help of individuals donated by or paid for by a person other than the committee or candidate.

How are non-monetary or in-kind contributions treated?

Non-monetary contributions, such as lending an automobile, employee, typewriter or giving paper and stamps, are subject to the same limitations and reporting requirements as monetary contributions. Non-monetary contributions should be evaluated at fair market value. Voluntary personal services are not considered in-kind contributios.

What do expenditures include?

Expenditures that must be reported include payments of money, transfer of funds to another political committee or candidate and repayment of loans.

What do depts include?

According to the commission, debts include guarantees and endorsements of loans, contracts to make expenditures and outstanding bills.

When to file statements

How many reports must be filed in a federal election?

Candidates and political committees must file campaign reports once before each election (10 days prior or 12 if by mail) and once after each election (30 days after). Also, within 10 days after the close of each quarter a report must be filed unless the candidate or political committee has received or expended less than $1,000 in that quarter, in which case a postcard is filed. In non-election years, year-end reports are also required. A summary of 1976 reporting deadlines for federal candidates and political committees:

REPORTING PERIODS FOR REGULAR 1976 ELECTIONS

DEADLINE	PERIOD COVERED
January 31, 1976	last report - December 31, 1975
April 10, 1976*	January-March 31, 1976
May 27, 1976	last report - May 24, 1976
June 8, 1976	Primary Election
July 8, 1976	May 25-June 28, 1976
July 10, 1976*	June 29-June 30, 1976
October 10, 1976*	last report - September 30, 1976
October 21, 1976	last report - October 18, 1976
November 2, 1976	General Elections
December 2, 1976	October 19-November 22, 1976
January 10, 1977*	November 23-December 31, 1976
January 31, 1977**	January 1, 1976-December 31, 1976

* *if contributions received or expenditures made exceeded $1,000 in prior calendar quarter*
** *if not otherwise required to file in 1976*

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Must "late contributions" be reported in a special manner?

Yes. Contributions of $1,000 or more received within the last 15 days before an election must be reported within 48 hours by letter or telegram.

Where to file reports

Where must campaign reports be filed?

Authorized committees of a candidate file reports with the candidate's principal campaign committee. The principal campaign committee then files a single report for that campaign. House candidates (and multi-support committees backing only House candidates) file with the clerk of the House of Representatives, Washington, D.C. 20515. Senate candidates (and multi-support committees backing only Senate candidates) file with the secretary of the Senate, Washington, D.C. 20510. Presidential and delegate candidates file with the Federal Election Commission, 1325 K St. NW, Washington, D.C. 20463, as do multi-support committees. The House clerk and Senate secretary immediately forward copies of all their reports to the commission.

How may reports be filed?

In all cases except for the pre-election report (10 days prior to an election), reports may be hand delivered or sent by registered OR certified mail and postmarked by the filing deadline. Pre-election reports must be hand delivered 10 days before the election or postmarked not later than the 12th day before the election.

Prohibitions

Does federal law limit cash contributions?

Yes. No one may make a cash contribution which totals more than $100 to a federal candidate.

Does federal law impose contribution limitations on individuals?

Yes. There is a $1,000 limit on the amount an individual may contribute to a single federal-office candidate in each primary and general election campaign (each presidential primary is treated as a single election as are runoff and special elections). Also there is a $25,000 limit on the total amount an individual may contribute to all federal candidates in a "calendar" year.

What are the contribution limitations imposed on political committees?

The limitations are the same as for individuals. However, "authorized committees" may contribute up to $5,000 to a federal candidate in a single election.

What is an authorized committee?

An "authorized committee" is one which: (a) has been registered with the Federal Elections Commission for more than six months; (b) has received contributions from more than 50 persons; (c) has given to five or more candidates for federal office.

Are there any costs which may be excluded in determining the amount of an individual's or corporation's contribution?

Yes. Up to $500 may be excluded in each election under each of the following categories:

1. *The cost of invitations, food, beverages, and real and personal property voluntarily provided by an individual at his or her residence for a candidate-related event;*
2. *the sale of food or beverages at a charge less than normal if the charge is at least equal to the cost to the vendor;*
3. *the unreimbursed cost for travel expenses of a volunteer.*

Are there personal-contribution limitations imposed on the candidate?

No. Spending money on your own campaign was defined as an expenditure by the United States Supreme Court in Buckley v. Valeo *and thus may not be limited.*

Are campaign expenditure limitations imposed by the federal law?

No. As originally adopted the law did limit campaign expenditures. However, the United States Supreme Court in Buckley v. Valeo *held that such expenditure ceilings impose "direct and substantial restraints on the quantity of political speech" and as a result violate the First Amendment to the United States Constitution. But presidential candidates who accept public subsidies for either the pre-nomination or the general-election campaign must abide by the spending limits.*

Does federal law impose limitations on the total amount persons may spend independently but on behalf of federal candidates?

No. Because of the United States Supreme Court's Buckley *decision there is no limitation on a truly independent expenditure made on behalf of a federal candidate. Thus, there are no limits on what a person may spend, for example, for direct purchase of newspaper ads to influence an election, if done independent of the candidate.*

Are contributions or expenditures by corporations or labor organizations on behalf of federal office seekers allowed?

No. Corporations and labor organizations are, however, permitted to establish separate political funds if the donations are voluntary. However, certain political expenditures are allowed. For example, funds may be spent for communication by a corporation or union to

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its stockholders or members on any subject, and non-partisan registration and get-out-the-vote efforts aimed at stockholders or union members are permitted.

Is campaign literature for a federal office required to contain certain information?

Yes. All literature and advertisements soliciting contributions must include the following notice: "A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D.C." Unauthorized committees must identify themselves as such, and any literature referring to a candidate for federal office must be labeled with the committee name and each of its officers.

Does the Federal Elections Act place a limit on the amount of honoraria elected federal officials may receive?

Yes. Acceptance of honoraria for individual speeches, appearances or articles in excess of $1,000 and more than $15,000 in total honoraria in a calendar year are prohibited.

Miscellaneous

Who administers the Federal Election Campaign Act?

The federal law establishes a six-member Federal Election Commission which is responsible for administering the election law and which has the power, under the legislation as originally drafted, to render advisory opinions, conduct audits and investigations, subpoena witnesses and information and initiate legal proceedings. However, an additional element of the United States Supreme Court ruling in Buckley v. Valeo held that the appointment provisions for the Commission are invalid. Until amendments are approved which will give the President authority to appoint the members of the Federal Election Commission, it may exercise only limited "investigatory and informative powers."

Does the federal law require candidates and officeholders to disclose their personal finances under so-called conflict-of-interest statements?

No. Unlike California law, federal candidates and office-holders are not required to file public financial disclosure statements. United States senators and representatives do, however, file confidential disclosure statements under Senate and House rules (as must candidates for Senate).

Must federal candidates and political committees be concerned with tax considerations?

Yes. The diversion of campaign funds to personal use will make it taxable as income. And any income over $100 per year (interest, dividends, sale of assets, etc.) earned from contributions requires the candidate, officeholder or committee to pay income taxes. Also, certain Internal Revenue Service rules must be followed to allow contributors to take the $100 tax deduction or $50 tax credit permitted under federal law.

Sources of detailed information

STATE

Fair Political Practices Commission, P.O. Box 807, Sacramento 95804

Campaign Law Reporter (500-page loose-leaf state and federal manual, monthly newsletter, interpretation of FPPC and FEC regulations and opinions, special bulletins and telephone quick-query service), Tom DeLapp, editor. 1024 Tenth St., Suite 300, Sacramento 95814

Regulations: California Administrative Code, TITLE 2, DIVISION 6. Department of General Services, Documents Section, P.O. Box 20191, Sacramento 95820.

Attorney General's Analysis of the Political Reform Act of 1974. Capitol Copy Center, 925 L St., Sacramento 95814.

Lobbyists and Employer Registration Directory (April 1975). Secretary of State, 925 L St., Sacramento 95814.

FEDERAL

Federal Elections Commission 1325 K St., NW, Washington, D.C. 20463.

Campaign Practices Reports (manual and monthly newsletter) 2814 Pennsylvania Ave., NW, Washington D.C. 20007

Campaign Law Reporter (see above).

Other information is available in the Federal Register and the Congressional Record.

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RATIONING IN OUR FUTURE?

The '76 drought and the damage it wrought

By JEFF LEVINE

Hank Sexton's weathered face glumly surveys his parched land and thirsty livestock. The dry-blue sky and the sharp wind are punishing reminders to Hank and others who live off the land that this is the worst drought since the 1920's. The state Department of Agriculture already figures the loss at $315 million. The Sexton family has lived and worked on a 15,000 acre tract of land in Northern California's Glenn County since the 1870's. Hank has seen bad years before but never worse than this.

Conditions are just as bad in other agricultural counties in the state. Governor Brown has asked that 29 counties be given federal disaster relief because of drought-related losses. Specifically, the governor wants the United States Department of Agriculture to provide low-interest loans so that livestock operators can buy emergency feed supplies for their cattle and sheep. The disaster aid would also give drought victims a break on railroad rates on the transportation of feed.

More feed — that's one of the big additional burdens this drought has brought to the Sextons of California. Earlier in the day, Hank had to truck in alfalfa pellets for his cattle because the land is so dry animals can't graze. The pellets cost him $85 per ton, and he has to use 1½ tons a day. Luckily, Sexton has several springs, so he hasn't had to bring in water yet, but it might come to that. His normal stock-watering ponds dried up long ago. Sure he wants rain, but even if it poured tomorrow, Sexton's troubles wouldn't be over. It would take six weeks following a rain for enough grass to grow for the cattle to start grazing again. Even then some additional nutrition would be required.

The author, producer of the television version of California Journal, *wrote "If the freeway's out, what's in?" in the July 1975* Journal.

The big losers

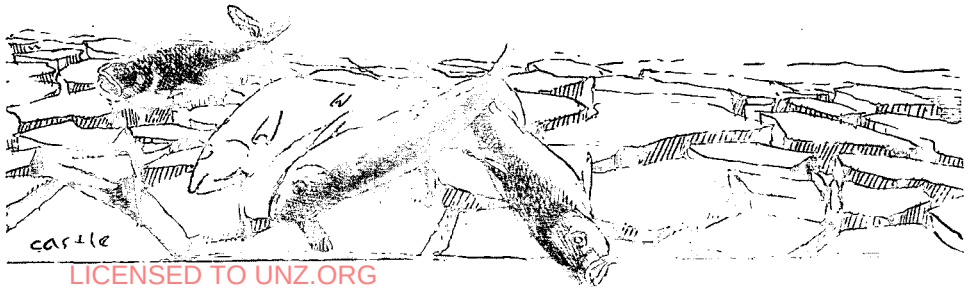
Livestock and milk producers have suffered the most with their losses totaling $270 million. But there are other dramatic statistics: Sheep losses are about $3.5 million; fruits and nuts are down nearly $23 million; grain crops like barley, wheat and oats have suffered damage amounting to $23 million. No, most crops aren't withering in the fields and, except for some isolated instances, cattle are not dying of thirst. But there are over a million acres of dry-grain farming in the Sierra Nevada foothills and the upper portions of the western Sacramento Valley where there isn't any irrigation. These crops, for the most part, haven't sprouted. Those that have will die soon without rain. The drought's principal cost stems from bringing feed and water to thirsty animals. And crops which would normally grow on their own, now need expensive irrigation.

The state Department of Agriculture issued a report expressing concern that livestock operators may have to pay as much as $90 a ton for hay and "that will undoubtedly bankrupt some of them. Some are already on the edge due to two economically disastrous beef years." A look at the precipitation figures indicates just how disastrous this year has been so far. In the San Francisco bay area and central coast regions, rainfall is just about one-third of normal. In the Sacramento Valley, it's one-third to one-half of the normal amount. By the time you get to the south coast, the situation is dire: Los Angeles and Santa Barbara have received only 9% of their usual rainfall. In the southeast corner of the state, Imperial has received 24% of its normal rainfall.

The checkout counter

When some rain and snow did come in February and early March, many Californians thought the worst was over. Skiers jammed the slopes, which helped ailing resort owners, but the amount of moisture was far too little to lighten the hearts of the stricken agricultural community. (Nevada County requested disaster relief for resort operators who haven't yet struggled to their skis.) Despite the late rain, the drought is still with us and the consequences will be felt for some time.

Ironically, rancher Sexton looks at the short-term effect as a lowering of



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meat prices. His theory: because feed prices are so high now, some livestock operators are going to sell their animals before full maturity. The cattlemen's loss will be the consumers' immediate gain when the increase in meat supply tends to drive the price down. However, looking two or three years ahead, Gordon Snow, head of a special agriculture department task force studying the drought, believes consumers may be facing higher prices. "It could take (ranchers and farmers) two to three years to recover these losses," says Snow. Meanwhile, the temporary glut on the beef market could produce a later scarcity. If feed prices get much higher, many livestock operators will be forced to sell their breeding stock. That would inhibit production for years to come, with dire consequences for the consumer.

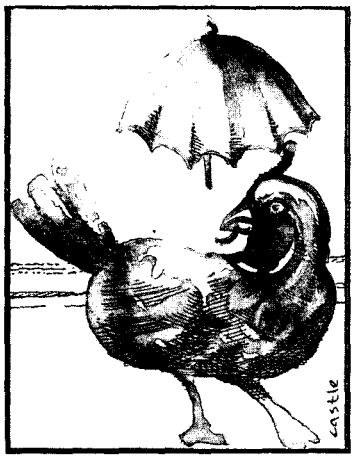
Ranchers and farmers aren't the only ones suffering. Even more than people, fish and wildlife are vulnerable to the drought. State and federal water agencies are releasing less water from reservoirs into streams and rivers that are the natural spawning grounds for salmon and steelhead. Under these abnormally low water conditions, the fish won't spawn as well, and their supply will be affected for three or four years.

Snow surveyors had to take off their skis and hike through the Sierras, even at some of the higher elevations. Measuring the snowpack this year is a dismally easy task, with accumulations ranging between only 25% to as little as 13% of normal through February. (The early March precipitation did provide significant additions.) That means precious little spring run-off. Trout fishermen may take sweet advantage of this adversity in the spring, since angling in the mountain streams is easier when the water is shallow, according to the California Department of Water Resources. But as the water level dips lower this summer, trout fishing will deteriorate.

The delicate delta

If the water shortage continues through June, gamebirds could suffer. Quail might not nest successfully, deer would have less natural forage, and the fawn population might diminish. Many desert bighorn sheep might die of thirst, and some waterfowl could contract fowl cholera or botulism from stagnant water ponds. "Endangered species throughout the state will be closely monitored, but no major problems are anticipated," says the Department of Water Resources' drought report. But if the dry spell continues another year, the effects on fish and wildlife would snowball and many thousands of animals could die.

And what about the ecologically vulnerable Delta — the wedge of land between the Sacramento and San Joaquin rivers? The thousands of square miles of delicate marshland that serve as habitat for birds and fish depend on the fresh water flows from the two rivers through the countless channels and sloughs of this unique region. On the west, the Delta butts up against San Francisco Bay. There it becomes an estuary, a place where salt and sea water mix. The mix is critical. If the water gets too salty, certain kinds of wildlife, like the striped bass, won't survive.



Even in wet years, the state is mandated by the state Water Resources Control Board's 1971 decision to maintain water quality in the region by sending fresh water from dams and reservoirs to keep salt at acceptable levels. In dry years the situation is more dangerous because salt water from the bay tends to flow deeper into the delta. Ron Robie, director of the Department of Water Resources, says fresh water flows will protect the Delta, but "standards won't be as good as in past years."

Fortunately, California had a wet spring in 1975, and most reservoirs are at a level equal to 100% of their ten-year average. As a result, most Californians aren't facing a water crisis this summer — if spring brings its normal rainfall. Otherwise, rationing might be necessary in some localities as early as June.

Hidden costs

However, another dry season next year will almost surely bring on rationing. "Next year is when the problem starts," says John Fraser, executive director of the California Association of Water Agencies. "I just talked to someone from the Central Valley who says that water demand has increased 270% from a similiar period in 1975." The net effect, according to Fraser, is a cutback of 30% in the water supply for agricultural regions. Municipal supplies are also going to be more severely taxed. And there are some hidden costs in the drought:

- *Some 28 million additional barrels of oil might be needed if rainfall is low for the rest of this year. Why? Because not as much water will be available to generate hydroelectric power. The price: $400 million.*
- *In Southern California, dry weather has caused an indefinite extension of the fire-fighting season. Fire-watch crews that would otherwise be at home, or elsewhere, are still on duty.*
- *The fire danger in the forests could restrict camping and timber harvesting.*

This is a time for caution and conservation. Suggestions from the Department of Water Resources: replace leaky faucets, minimize lawn watering, and place bricks in the toilet tanks to reduce the amount of water consumed per flush.

The state now has contracts with 31 water agencies to deliver up to 4.2 million acre feet of water per year. (One acre-foot is 326,000 gallons.) Supplies are adequate to meet this year's obligations, but requests for additional surplus water have not been approved and they won't be as long as arid conditions continue. How long will that be? Looking at the problem from a cosmic level, scientists say we're in an eleven-year cycle of minimal activity on the sun's surface. There's supposed to be a correlation, somewhat unreliable, between spots on the sun and drought conditions on Earth. Every other eleven-year sun-spot cycle seems to bring on drought. There was a moderate drought during '50's so another dry cycle might be due again.

All of which is really moot for people like Glen County's Hank Sexton and thousands of other famers and ranchers in agriculture communities throughout the state. Getting by one day at a time is what concerns them now. For Sexton, it's a bit more critical than shutting off a sprinkler. Until Mother Nature gets more generous, the farmers and ranchers will have to keep feeding, irrigating and hoping that the skies will turn gray and the rains will come before they lose this year's livestock and crops or perhaps everything they own.

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California CAPSULES

PUC sets policy of charging more for peak periods

Reversing the traditional cost-of-service approach, the state Public Utilities Commission adopted a policy report recommending cheaper rates for customers using less electricity and for power used during non-peak hours. Prepared in response to a legislative request for changes to encourage conservation, the report was approved on a 3-2 vote with Commissioners William Symons Jr. and Vernon L. Sturgeon denouncing the policy as "a radical departure from reasonable rate-setting practices." The PUC made clear its intention to make conservation, not consumption, the basis of the rate structure in the future.

State health chief advocates heroin decriminalization

The decriminalization of heroin use and possession was suggested by Dr. Jerome Lackner, director of the state Department of Health, in testimony before an Assembly Ways and Means subcommittee. Being careful to identify this as his personal view and not that of the Brown Administration, Lackner called heroin use an illness and advocated a national network of clinics where addicts could get heroin to take the profit motive out of street selling. Lackner stipulated his plan would have to be carried out on a national scale because, if only one state did it, that state would be deluged by the "junkies" from all the others. While Lackner obtained approval for the $1.5 million he sought for drug abuse programs, his suggestion prompted an immediate negative response from law officials throughout the state.

Suspicion greets package of changes outlined for the CEQA

Over 52 changes have been proposed by the Brown Administration in the California Environmental Quality Act. Resources Secretary Claire Dedrick said the act needed strengthening and streamlining but conceded the proposal might set off a "bleeding war." While the changes were characterized as cutting away at the red tape that now surrounds the law, at least one alteration — requiring developers to submit a neutral evaluation of their proposed project instead of the advocacy environmental impact report now allowed — is guaranteed to raise the hackles of developers and labor officials.

Nuclear power plant application delayed by Energy Commission

The state Energy Commission rejected San Diego Gas and Electric Company's application for a $1.8 billion nuclear power plant in Sun Desert (20 miles southwest of Blythe) because the document didn't contain enough detailed information for staff analysis. In returning the application, the first of its type the Commission has received, the utility was told that no judgment on the merits of the proposal was implied and was encouraged to supply the information in a new application. If the Energy Commission had accepted the original petition, hearings on the proposal would have been scheduled during the height of the Nuclear Power Plants Initiative (Proposition 15) campaign. Information cited as missing includes background on radiation levels and the handling and storing of waste fuels and descriptions of on-site fuel and waste-storage facilities.

Los Angeles test of car-pool lane gets mixed reviews

An experiment on Los Angeles' busy Santa Monica freeway reserves the fast lane exclusively for buses and cars containing three or more people during rush hours. The new program snarled traffic so badly the first day of operation, a normal half-hour trip reportedly took two to three hours for cars in the non-reserved lanes. On the second day, traffic moved so well in all lanes that some eligible cars didn't use the exclusive lane. Surface streets were reported as more crowded but moving well. Designed by Caltrans to reduce smog and consumption of gasoline, the experiment must run a minimum of three weeks before any conclusive findings can be made.

Insurance companies denied cost-of-living social-security hikes

Approximately 100,000 Californians are losing a total of $30 million annually to insurance companies because of an other-income reduction clause in their disability-insurance policies. This clause has allowed companies to deduct from benefit payments cost-of-living increases passed by Congress for recipients of social security disability benefits. While nothing has been done nationally, a new law carried by Assemblyman Tom Suitt prohibits new, amended or renewed policies written in California after January 1, 1977 from containing a social security deduction clause.

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Complete list of candidates and the outlook for each race

By Ed Salzman

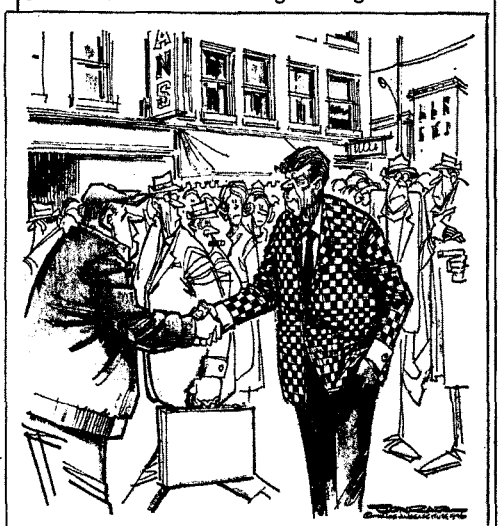
Are California citizens, who two years ago stayed away from the polls in surprisingly large numbers, still turned off politics? Is the state still afflicted with the post-Watergate mood of political apathy that struck both major parties in 1974? The June 8th state primary election should answer these questions. But will it be a fair test? What will there be on the ballot with sufficient appeal to draw out the masses? By June 8th, it is likely that the Republican presidential primary will be meaningless. By entering the Democratic primary, Governor Brown took a significant element of mystery out of the voting. There will be spirited races in both parties for the United States Senate seat held by Democrat John Tunney, in addition to the 43 Congressional and 100 state legislative seats up for grabs. But it is primarily the insiders in both parties who pay attention to these races. Proposition 15 – the Nuclear Power Plants Initiative – has been getting a great deal of attention in the media, but the issue may be so complex that many voters will be turned away by the confusion.

A listing of all candidates for president, United States Senate, House of Representatives, state Senate and Assembly is presented here with comments on the outlook for each contest. (The 15 propositions will be analyzed in a special report in the May Journal.*) In a few cases, there will be changes in the candidate lists because of extended filing deadlines and possible disqualification of candidates.*

Presidential Delegates

Republican: President Gerald R. Ford of Michigan, former Governor Ronald Reagan of California.

Thanks to earlier primaries in the key states of New Hampshire, Florida and Illinois, California's 167-member delegation at stake in the winner-take-all primary will probably make little difference in the outcome of the balloting during the GOP National Convention in Kansas City this August. Reagan recovered in North Carolina, and the polls indicate that Reagan has an early lead for the California delegation – but it is probably a case of too little, too late. At the start of the year, Reagan was riding high and the Ford campaign was in deep trouble. Then, Reagan faltered with his proposal for a $90 million cut in federal spending plus his talk of changing the Social Security system (which evidently moved elderly voters in Florida to Ford). The President's campaign took a turn for the better when veteran California campaign manager, Stuart Spencer, took the reins. Ironically, it was Spencer who ran the Reagan campaign for governor a decade ago.



"Ronald who . . . ?

Editorial Cartoon by Paul Conrad
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Democratic: Governor Edmund G. Brown of California, Senator Birch Bayh of Indiana, former Governor Jimmy Carter of Georgia, Senator Frank Church of Idaho, former Senator Fred Harris of Oklahoma, Senator Henry Jackson of Washington, Pro-life advocate Ellen McCormack of New York, Governor Milton Shapp of Pennsylvania, Sargent Shriver of Illinois, Representative Morris Udall of Arizona, Governor George Wallace of Alabama.

Among other things, politics is the art of filling vacuums. None of the early contenders for the Democratic presidential nomination has made any major impact in California, inviting Governor Brown to plunge into the race and leave the other candidates scrambling for scraps. Brown could walk away with the lion's share of the state's 280 delegates to be apportioned under a complex new system this year (see box). Brown announced his "native son" candidacy in an offhand manner to a group of reporters on Friday evening, March 12th – hardly the right time for maximum media exposure. He followed up by declaring that he is not a traditional favorite-son candidate but a bona fide national candidate who thinks he has a chance of winning his party's nomination in New York City next July. From all appearances, no one candidate will come close to a first-ballot majority (unless the Carter bandwagon keeps rolling in high gear). There is growing speculation of a Humphrey-Brown team, brokered in part by leaders of organized labor. Brown selected Assembly Speaker Leo McCarthy as his campaign director and put the number-two man in the Assembly, Democratic floor leader Howard Berman, in charge of the official steering committee. The Brown candidacy left precious little maneuvering room for the other candidates, hardly making it worth their while to spend big money in California, with the possible exception of Carter. This is true because the rules will throw out the votes of any candidate getting less than 10 percent of the vote in Congressional districts. After Brown picks up perhaps half of the vote (and possibly a larger percentage of the delegates), candidates like Carter, Wallace, Jackson, Church, Udall and Harris – all with followings in the state – cannot expect to pick up large blocs of delegates because there are so many of them to divide the leftovers. The big question is whether Brown and his unorthodox political operation will sell at a brokered convention or whether the primary will serve merely as a test of confidence for a Governor who already has shown unprecedented popularity in the polls.

American Independent: Thomas Goodloe Jr., Alberta Procell, John Rarick, George Shea, Andrew Watson.

Peace and Freedom: Margaret Wright, Frank Zeidler.

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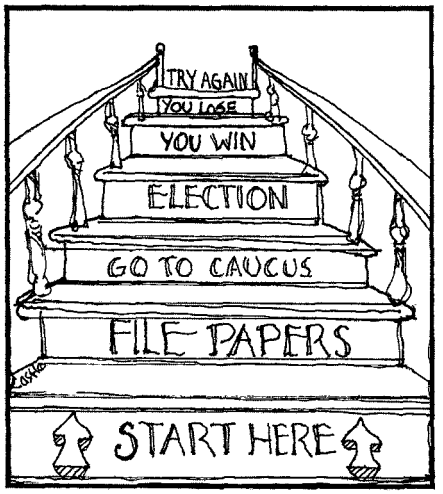
Charting a course through the complex Democratic primary

The June 8th presidential primary in California will be a breeze for Republican voters. The candidate who gets the most votes will capture the entire 167-member delegation under the traditional winner-take-all system. The Democratic primary, however, will be so complex that only a few experts will know precisely how the oft-altered mechanism will work. Here, in outline form, is how the 280 delegates to the New York convention will be chosen:

- *April 8th is the last day for removal of a candidate's name from the ballot.*
- *By April 7th, any person desiring to be a delegate must file a declaration of candidacy with the county clerk. The candidate must reside in the Congressional district from which he or she wishes to be chosen, must be a registered Democrat and must sign a certificate of support for a candidate or uncommitted delegation. (Delegates will be pledged to support a candidate until released or until that candidate fails to receive 15 percent of the vote on any ballot.)*
- *On April 11th, the caucuses will convene in each Congressional district to recommend a list of 10 delegates (ranked in accordance with caucus vote). However, the candidate for President or the candidate's steering committee can ignore this list and select delegates not recommended by the caucus. This provision was put in the law because it is relatively easy for a small group to control a caucus.*



- *By April 16th, the steering committee chairperson for each candidate shall provide the Secretary of State with a list of potential delegates.*
- *On election night, it may not be known exactly how many delegates each candidate has won. The exact number will depend on some calculations on the vote in each Congressional district.*
- *The Secretary of State is given until June 23rd to announce the number of delegates each candidate or uncommitted slate has won.*
- *By June 23rd, the candidate committees will announce the names of Congressional district delegates which will comprise 75 percent of the delegation.*
- *On June 26th, the steering committees and the district delegates will meet in convention to select the at-large delegates making up 25 percent of the delegation plus all the alternates. These at-large delegates will be pledged in the same proportion as the district delegates. The candidates for president will hold veto power over the at-large delegates.*

The mathematics of delegate apportionment in Congressional districts depends on whether at least one candidate receives 15 percent of the vote. In a district with a 15 percent candidate, all candidates that do not receive 10 percent will get no delegates and votes for these candidates will not be calculated. The delegates will then be apportioned to those with 10 percent or more in proportion to their popular support. In districts where no candidate hits 15 percent, the top candidates will receive delegates in proportion to their vote whether or not their totals are under 10 percent. In the event of ties, a delegate shall be awarded to the candidate with the highest statewide vote.

UNITED STATES SENATE

Democratic: Incumbent John Tunney, Tom Hayden, E. Robert Wallach, Ronald L. Williams, Millard Fillmore Slove, Howard Gifford, Frank Thomas, Les Craven, Lois Dodle.

Hayden has been running an aggressive and surprisingly well-financed campaign in an effort to unseat Tunney in the primary. Theoretically, Tunney started the campaign in a vulnerable position, thus drawing a large Republican field. But, according to the polls, Tunney has remained far in front of Hayden in the early going. Hayden has the endorsement of the ultra-liberal California Democratic Council. The presence of Wallach, a San Francisco attorney, and other names on the primary ballot helps Tunney and hurts Hayden, who is best known as a member of the anti-Vietnam War Chicago Seven and the husband of actress Jane Fonda.

Republican: Congressman Alphonzo Bell, Robert Finch, John Harmer, S.I. Hayakawa, Walter Hollywood, Hannibal Caesar Burchette V, Michael Hirt, Clyde F. Tracy, Henry Hill, James A. Ware.

The key question in analyzing this four-sided race is which element of the Republican party has put former San Francisco State president S.I. Hayakawa up so high in the polls. An early-March California Poll showed Hayakawa trailing former Lieutenant Governor (and Nixon cabinet member) Robert Finch by a slim 37-32 margin – surprising since Finch has been running a well organized campaign for a year while Hayakawa was just getting started. That was before another former lieutenant governor, John Harmer, entered the contest. At the same time Harmer joined the fray, former Congressman John Schmitz pulled out to run for his old seat in the House of Representatives. Congressman Bell, who was trailing badly in the polls, indicated he would be spending large sums of his own money (perhaps $600,000) to improve his standing. Harmer has the advantage of being the only mainstream conservative in the race, but it may well turn out that Hayakawa, a former liberal Democrat, will be the darling of the conservative voters because of his hard stand against student rioters at San Francisco State. If organization will win it, the victor will be Finch. If money will win it, the victor will be Bell. If a conservative record will win it, the victor will be Harmer. But Hayakawa seems to have an image that will keep him in the running without any of the traditional keys to GOP success – organization, money or conservatism. It is his presence in the race that makes the outcome so totally unpredictable.

Peace and Freedom: David Wald.
American Independent: Jack McCoy.

How this analysis was compiled

Registration statistics are as of January 1st, 1976. Candidate lists were obtained from the Secretary of State's office.

The outlook comments were written following consultation with officials of both major parties and politicians and political writers throughout the state.

Districts designated as key are those in which the primary-election outcome is believed to be especially significant.

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HOUSE of REPRESENTATIVES

California's 43-member delegation to the House of Representatives should emerge relatively unchanged from this year's elections. Democrats now hold a 28-15 advantage in the delegation, and Republicans think there is a good chance of making at least a small gain. Incumbent members of Congress are rarely defeated in California, and there isn't a single non-incumbent district in which a change of party is a reasonable possibility. The most interesting primary contests will feature large fields in two safe Republican districts. One incumbent, Alphonzo Bell, is running for the U.S. Senate; the other, Andrew Hinshaw, has been convicted of bribery but is seeking reelection during the appeal of his case. Senator Anthony Beilenson should replace Democrat Tom Rees.

Badham

Hinshaw

Beilenson

District 1 (58%D-37%R) — Democrats: Incumbent Harold (Bizz) Johnson of Roseville, Bill Steele of North San Juan. Republican: James E. Taylor of Lake of the Pines.
The veteran Johnson is solidly entrenched although there were rumors he would retire this year.

District 2 (57%D-37%R) — Republican: Incumbent Don H. Clausen of Crescent City. Democrats: Oscar Klee of Ukiah, Gerald Hill of Sonoma, Jim Brown of Eureka, Douglas Bosco of Sebastapol, May Chote of Cloverdale. Peace and Freedom: Robert B. Allred of Santa Rosa.
Clausen hangs tough despite the Democratic registration. Klee was the 1974 victim, but he faces a tough primary fight this year from Hill, a San Francisco lawyer and Democratic activist.

District 3 (62%D-33%R) — Democrat: Incumbent John E. Moss. Republican: George R. Marsh Jr. Both are from Sacramento.
Moss apparently can have this seat as long as he wants it.

District 4 (64%D-31%R) — Democrat: Incumbent Robert Leggett of Vallejo. Republicans: Albert Dehr of Sacramento, Lawrence Wegienka of Woodland, Harvey A. Taylor of East Nicolaus.
Leggett has been victimized by some adverse publicity but the district looks safe for a Democrat.

District 5 (59%D-32%R) — Democrat: Incumbent John L. Burton of San Francisco. Republican: Branwell Fanning of Tiburon.
The GOP failed to come up with a rugged opponent for Burton.

District 6 (70%D-22%R) — Democrats: Incumbent Phillip Burton, Mary Anne Bouey. Republicans: Tom Spinosa, Thomas Sanders. Peace and Freedom: Emily Siegel. American Independent: Raymond Heaps. All are from San Francisco.
Despite the large field, Burton will win by a mile.

District 7 (60%D-35%R) — Democrat: Incumbent George Miller of Martinez. Republican: Robert Vickers of Concord. American Independent: Melvin E. Stanley of El Sobrante.
This will be an easy second term for Miller.

District 8 (63%D-29%R) — Democrat: Incumbent Ronald V. Dellums of Berkeley. Republican: Philip S. Breck of Berkeley. Peace and Freedom: Robert Evans of Oakland.
Dellums will continue to ride high.

District 9 (64%D-30%R) — Democrat: Incumbent Fortney H. (Pete) Stark of Oakland. Republican: James K. Mills of Livermore. Peace and Freedom: Albert L. Sargis of Oakland.
Only a Democrat can win in this district.

District 10 (65%D-28%R) — Democrat: Incumbent Don Edwards of San Jose. Republican: Herbert Smith of San Jose. American Independent: Edmon V. Kaiser of Fremont.
Edwards is entrenched in rock.

District 11 (58%D-36%R) — Democrats: Incumbent Leo J. Ryan of Belmont, John J. McGuire of Pacifica. Republican: Bob Jones of Belmont. American Independent: Nicholas Kudrovzelf of Pacifica.
Republicans think they might topple Ryan some year, and the latest to try is Jones, a city councilman.

District 12 (51%D-43%R) — Republican: Incumbent Paul N. (Pete) McCloskey of Menlo Park. Democrats: David Harris of Menlo Park, Norman J. Shaskey of Mountain View. American Independent: Joseph Cooney of Menlo Park.
McClosky, for a change, has an easy slide through the primary. In November, he will face either school board member Shaskey or Harris, Vietnam War protester and former husband of singer Joan Baez.

District 13 (52%D-41%R) — Democrat: Incumbent Norman Mineta of San Jose. Republicans: Grant P. Jones of San Jose, Ernest Konnyu of Saratoga. American Independent: William P. Herrell of Saratoga.
Theoretically, this is a marginal district, but Mineta will hold it with personal popularity. The potential GOP opposition is weak.

District 14 (58%D-38%R) — Democrats: Incumbent John J. McFall of Manteca, Norma Lowry of Oakdale. Republican: Roger Blain of Stockton.
McFall's biggest problem is his competition with Phil Burton for a House leadership post.

District 15 (65%D-31%R) — Democrat: Incumbent B.F. Sisk of Fresno. Republican: Carol O. Harner of Atwater.
Sisk can hold this seat as long as he remains healthy.

District 16 (54%D-39%R) — Republican: Incumbent Burt Talcott of Salinas. Democrats: John Bakalian of Capitola, Robert B. Martin of Capitola, Leon Panetta of Carmel Valley.
Talcott won by a hair two years ago and is vulnerable. The question is whether the Democrats can mount a decent campaign against him this year. Panetta, a former Republican, is the likely opponent.

District 17 (58%D-37%R) — Democrat: Incumbent John Krebs of Fresno. Republican: Henry J. Andreas of Sanger.
Freshman Krebs should repeat handily.

District 18 (56%D-39%R) — Republican: Incumbent William M. Ketchum of Bakersfield. Democrats: Dean Close of Bakersfield, Santo Tafarella Jr. of Lancaster.
The registration figures are a bit deceiving. This is conservative territory. Ketchum should improve his 7,000-vote margin against either Democrat.

District 19 (53%D-39%R) — Republican: Incumbent Robert J. Lagomarsino of Ventura. Democrat: Dan Sisson of Santa Barbara.
The Democrats have finally given up on this seat.

District 20 (49%D-45%R) — Republican: Incumbent Barry Goldwater Jr. of Woodland Hills. Democrats: Patti Lear Corman of Encino, Charles L. Lindsay of Westlake Village, James H. Gilmartin of Valencia.
Corman is in a position to give Goldwater a run for his money, at least in the publicity department. She received a great deal of notoriety when she filed for divorce from husband Congressman Jim Corman, and said he didn't want her to run against colleague Goldwater. This is fundamentally a GOP district.

District 21 (63%D-32%R) — Democrat: Incumbent James Corman of Encino. Republicans: Ed Hogan of Panorama City, Mark M. Dickerson of Panorama City, Amy Fixler of Encino, Steve Fox of North Hollywood. Peace and Freedom: Bill Hill of Northridge.
The Corman publicity (see District 20 comments) must have given Republicans hope they can defeat the Democratic incumbent. But he'll win again.

District 22 (44%D-51%R) — Republican: Incumbent Carlos J. Moorhead of Glendale. Democrats: Stanley M. Sapiro of Los Angeles, Starr Pak of Glendale, Robert Salley of Altadena.
Moorhead won by 17,000 votes two years ago despite his support for Richard Nixon and the opposition of the Los Angeles Times. *This time it should be easier.*

District 23 (63%D-31%R) — Democrats: Anthony Beilenson of Los Angeles, Wallace Albertson of Los Angeles, Martin M. Altman of Encino, Horwin Noels of Los Angeles, Robert Brown of Van Nuys, Julius Shulman of Los Angeles. Republicans: Thomas Bartman of Sherman Oaks, Patricia Gallucci of Los Angeles, Charonne Wali of Sherman Oaks, Rick Nelson of Los Angeles.
This is the seat being vacated by Democrat Tom Rees. Beilenson, chairman of the state Senate finance committee, is a heavy early favorite (especially with the withdrawal of Assemblyman Howard Berman from the race). His prime opposition should come from Albertson, head of the California Democratic Council.

District 24 (62%D-31%R) — Democrats: Incumbent Henry Waxman of Los Angeles, Chris Musun of Los Angeles. Republicans: Jerry Fogel of Studio City, Albert Karsa of Los

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Angeles, David Simmons of Los Angeles.
Waxman has one of the best political organizations in the state and will win by a large margin.

District 25 (7[illegible]%D-22%R) — Democrats: Incumbent Edward R. Roybal, Michael P. Rives. Republican: Jim Madrid. Peace and Freedom: Marilyn Seals. All are from Los Angeles.
Roybal has been unbeatable.

District 26 (45%D-49%R) — Republican: John H. Rousselot of San Marino.
Rousselot isn't even controversial these days.

District 27 (43%D-44%R) — Republicans: Joe Blatchford of Rancho Palos Verdes, Mike Donaldson of Redondo Beach, Dennis O'Block of Playa del Rey, Robert K. Dornan of Los Angeles, Gary Symonds of Santa Monica, Robert Welbourn of Palos Verdes Estates. Democrats: Gary Familian of Marina del Rey, David P. Helgevold of Manhattan Beach, Dave Horner of Santa Monica, Tom Pezzuti of Santa Monica, Robyn Joanne Hickey of Manhattan Beach, Jack Shaffer of Redondo Beach, George Soen of Redondo Beach.
The large field is prompted by the decision of Republican incumbent Alphonzo Bell to run for the United States Senate. The district should be held by the GOP but hope is not lost for a Democrat under ideal circumstances. The biggest name in the field is Blatchford, former Peace Corps director.

District 28 (7[illegible]%D-21%R) — Democrat: Incumbent Yvonne Brathwaite Burke of Los Angeles. Republican: Edward S. Skinner of El Monte.
Another rout for Burke.

District 29 (84%D-13%R) — Democrats: Incumbent Augustus Hawkins of Los Angeles, Jay B. Price of Bell, Joe Taylor of Los Angeles, Oliver W. Wilson of Los Angeles. Republican: Michael Germonprez of Los Angeles.
Councilman Price and the others will at least make Hawkins, a solidly entrenched veteran, go through the motions of campaigning.

District 30 (7[illegible]%D-23%R) — Democrat: Incumbent George E. Danielson of Monterey Park. Republicans: Diane Condon of Simi Valley, Harry Couch of Monterey Park.
Danielson escaped primary opposition at this time, and that will make reelection even easier than usual for him.

District 31 (74%D-21%R) — Democrats: Incumbent Charles H. Wilson of Hawthorne, Joe Rice of Los Angeles, Saul E. Lankster of Compton.
Every two years, there are rumors that Wilson faces serious primary trouble, but he manages to survive.

District 32 (63%D-30%R) — Democrats: Incumbent Glenn M. Anderson of Harbor City, Al Landers of Long Beach. Republican: Clifford Young of Carson.
Anderson, the former lieutenant governor, has found a home in Congress.

District 33 (54%D-41%R) — Republican: Incumbent Del Clawson of Downey. Democrats: Philip Megdal of Norwalk, Merl T. Doty of Downey, Ted Snyder of Whittier.
Democrats have targeted Clawson repeatedly to no avail. He'll win comfortably again.

District 34 (54%D-41%R) — Democrat: Incumbent Mark Hannaford of Lakewood. Republicans: Bill Bond of Long Beach, Daniel E. Lungren of Long Beach, Art Jacobson of Los Alamitos.
Hannaford captured a former GOP seat two years ago and the Republicans want it back badly. Bond is a former assemblyman who lost to Hannaford in 1974. After that, Bond was defeated in a race for city council and he may have trouble winning the nomination.

District 35 (52%D-43%R) — Democrat: Incumbent Jim Lloyd of West Covina. Republican: Louis Brutocao of Covina.
Freshman Lloyd won this newly reapportioned district in 1974. The district is evenly balanced between the parties, and the Republicans have a strong candidate in Mayor Brutocao. This will be a high priority race for both parties in November.

District 36 (61%D-33%R) — Democrat: Incumbent George E. Brown Jr. of Colton. Republican: Grant Carner of Riverside. American Independent: William Pasley of Rialto.
This will be a cinch year for Brown.

District 37 (49%D-46%R) — Republican: Incumbent Shirley N. Pettis of Loma Linda. Democrat: C. Douglas Wilson Jr. of Mentone. American Independent: Bernard Wahl of Hemet.
Pettis won a special election to succeed her late-husband, Jerry. She should win reelection by a large margin.

District 38 (55%D-38%R) — Democrat: Incumbent Jerry M. Patterson of Buena Park. Republicans: Jim Combs of Costa Mesa, David Paynter of Garden Grove.
Patterson won this post-redistricting seat two years ago in the Democratic sweep. Republicans think they can win it this time, probably with Paynter, a county school board member.

District 39 (43%D-50%R) — Republican: Incumbent Charles Wiggins of Fullerton. Democrats: Bill Farris of Orange, Dickran Boranian of Santa Ana.
They don't come much safer than Wiggins.

District 40 (37%D-56%R) — Republicans: Incumbent Andrew Hinshaw of Santa Ana, John G. Schmitz of Corona del Mar, Robert E. Badham of Newport Beach, Michael P. Clancey of El Toro, Alicia Cooper of Mission Viejo, Bill Davenport of Santa Ana, Harry Jeffrey of Laguna Beach, Thomas J. Mauro of South Laguna. Democrats: Vivian Hall of Irvine, John B. Schoonover of Newport Beach, George H. Margolis of Santa Susana Knolls.
This is the wildest race in the June primary. The Democratic contest is meaningless as this is the safest GOP district in California. Incumbent Hinshaw has been convicted of bribery as Orange County assessor, but he is seeking reelection pending appeal. Assemblyman Badham thought he had a clear ride for the conservative vote. But then Schmitz, a former Congressman defeated by Hinshaw, decided to run for Congress instead of United States Senate and the race became mighty complex. Jeffrey, a moderate professor, has been campaigning for a year and will be a factor.

District 41 (48%D-43%R) — Republican: Incumbent Bob Wilson of San Diego. Democrats, Louisa A. Desmond of San Diego, Dan Finnigan of San Diego, Arnold Flick of San Diego, Gordon Gastil of La Mesa, King Golden Jr. of San Diego, Stephan R. Jones of San Diego, Hank Roloff of San Diego, Joseph Trento of La Jolla.
The Democrats went all out to defeat Wilson in 1974 but he still won by 20,000 votes. He should do better this year with Watergate and the ITT mess cooled off. Yet, the myth remains that he can be taken. Hence the Demo field.

District 42 (58%D-33%R) — Democrat: Incumbent Lionel Van Deerlin of Chula Vista. Republican: Wes Marden of Chula Vista.
Chalk up another term for the veteran Van Deerlin.

District 43 (44%D-48%R) — Republican: Incumbent Clair W. Burgener of La Jolla. Democrats: Pat Kelly of Vista, H. Lee Stout of Alpine.
This is solid Burgener country.

STATE SENATE

The Democrats came out of the 1974 general election with a 25-15 advantage in the Senate by winning 17 of the 20 seats contested that year. This means that the Republicans are in a vulnerable position this year because Democrats need only split the 20 seats at stake to build a two-thirds majority of 27-13. (This assumes that the Democrats will hold the seat vacated by San Francisco Mayor George Moscone in a special election May 11th.) The GOP situation is aggravated by the retirement of five Republican incumbents, compared to only one Democrat, and GOP veteran Jack Schrade faces a tough reelection struggle.

District 1 (57%D-37%R) — Democrats: Incumbent Randolph Collier of Yreka, Wayne Carothers of Newcastle, Angelo Pizelo of Redding. Republicans: Ray E. Johnson of Chico, Hans Jon Nolde of Olympic Valley, Ernest Schulze of Auburn.
Collier, dean of the Senate, should survive a primary conflict with Carothers, an employee of the potent California Teachers Association. In November, Collier may face his most difficult challenge in many years against Johnson, a former Assemblyman who has been working the territory for years.

District 3 (62%D-33%R) — Democrat: Incumbent Albert S. Rodda of Sacramento.
Rodda, it appears, can have this seat as long as he wants it.

District 5 (68%D-22%R) — Republican: Incumbent Milton Marks. Democrats: Charles L. Baldine, Fred Furth, Richard Boyle, Bob Mendelsohn. Peace and Freedom: Barbara Ann Blong. All are from San Francisco.
Marks has managed to overcome adverse registration statistics in the past, but he has been weakened by a poor showing in the recent mayoralty contest and by reapportionment. His probable opponent in November is Supervisor Mendelsohn, once a Senate aide.

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Nimmo

Campbell

Mobley

District 7 (60%D-35%R) — Republican: Incumbent John Nejedly of Walnut Creek. Democrats: Richard Beserra of Walnut Creek, Alexander W. Malick of Danville, American Independent: Michael Dietrich of El Sobrante.

Nejedly, former Contra Costa County district attorney, is an environmentalist with a non-partisan image. He is the favorite for a November victory despite a reapportionment-improved Democratic registration. Beserra, an attorney and former Democratic Party employee, is the party leaders' choice to face Nejedly.

District 9 (62%D-30%R) — Democrat: Incumbent Nicholas Petris of Oakland. Republicans: Marvin E. Lichtenthal of Emeryville, Tod Mikuriya of Berkeley. Peace and Freedom: Shirley Lee of Oakland.

Petris, a veteran liberal lawmaker, will coast to another term.

District 11 (60%D-33%R) — Democrat: Incumbent Alfred E. Alquist of San Jose. Republican: Laurence Turpen of San Jose. American Independent: Thomas Reed of Fremont.

Despite picking up a large hunk of Alameda County, the veteran Alquist has no problems.

District 13 (59%D-37%R) — Democrat: John Garamendi of Mokelumne Hill. Republicans: Bob Whitten of Sacramento, Thomas Burr of Sloughhouse.

This is a district being abandoned by Republican Clare Berryhill of Stanislaus County. Whitten, a former anchorman on a Sacramento television news program, should give freshman Assemblyman Garamendi a run for his money in November. Garamendi won an impressive victory two years ago in his first run for public office.

District 15 (58%D-38%R) — Republicans: Ernest N. Mobley of Sanger, Bette Donaldson of Fresno. Democrats: William Frank of Fresno, Donna McKitrick of Fresno, Rose Ann Vuich of Dinuba.

Veteran Republican Senator Howard Way is retiring and GOP Assemblyman Mobley is the favorite to replace him against any of the possible Democratic nominees. The registration figures are almost meaningless in this part of California.

District 17 (54%D-39%R) — Republican: Robert Nimmo of Atascadero. Democrats: Roger Poyner of Monterey, Philip Harry of Santa Cruz, Margaret Van Deren of Capitola.

Republican Donald Grunsky has held this seat for years. His retirement gave Democrats hope that they could carry the district. But Nimmo, an Assemblyman, will be the November favorite. Poyner is a Monterey County supervisor and Harry a former Santa Cruz County supervisor.

District 19 (50%D-44%R) — Republicans: Incumbent Lou Cusanovich of Westlake Village, Paul A. Thomas of Thousand Oaks. Democrats: Sabrina Schiller of Pacific Palisades, Charles W. Belser of Canoga Park.

Reapportionment has given Cusanovich a great deal of new territory which he has been working hard. Democrats are hopeful that Schiller, an actress, can topple him. But the district looks Republican for November.

District 21 (43%D-52%R) — Republicans: Incumbent Newton Russell of Montrose, Bonnie L. Ohmert of La Crescenta. Democrat: Raymond J. Loftus of Los Angeles.

Russell, who won the seat in a 1975 special election, should have no difficulty keeping it.

District 23 (63%D-30%R) — Democrat: Incumbent David A. Roberti of Los Angeles. Republican: Allen R. Adams of North Hollywood.

This will be a cinch year for Democratic floor leader Roberti.

District 25 (46%D-49%R) — Republican: Incumbent H.L. (Bill) Richardson of Arcadia. Democrat: Ronald Barbatoe of West Covina.

The Democratic primary is an exercise in futility. Richardson should romp in November.

District 27 (51%D-42%R) — Democrats: Incumbent James Q. Wedworth of San Pedro, Stephen A. Nordeck of Manhattan Beach. Republican: Robert G. Beverly of Manhattan Beach.

Reapportionment put Wedworth and Republican Senator Robert Stevens into the same district, but Stevens is retiring. Beverly, former GOP spokesman in the Assembly, is the early favorite. Wedworth faces a stiff primary challenge from Nordeck, a Manhattan Beach councilman.

District 29 (83%D-14%R) — Democrat: Incumbent Bill Greene of Los Angeles. Republican: Jimmie Dunlap of Cudahy.

This is the most Democratic senate district in the state, and Greene is home free.

District 31 (58%D-36%R) — Republican: Incumbent George Deukmejian of Long Beach. Democrat: Renee Simon of Long Beach.

Deukmejian, GOP floor leader, can't seem to avoid a difficult battle this year. For a while, it appeared he would be facing veteran Democratic Senator Joe Kennick in November. But Kennick, who probably would have been the favorite because of the Democratic registration advantage, decided to retire. Now Deukmejian's opponent will be Councilwoman Simon, whose candidacy provides women with their best opportunity to break into the all-male Senate bastion. Deukmejian will be the favorite, however.

District 33 (54%D-41%R) — Democrats: Cecil Green of Norwalk, Betty Wilson of Santa Fe Springs, Jerry Olivet of Whittier. Republicans: Andy Harrison of Whittier, Bill Campbell of Hacienda Heights, Angel Soto of Cerritos, Phil Ortiz of Downey.

This is a non-incumbent district created by redistricting. The early favorite is Assemblyman Campbell, but he may have been hurt by articles linking him to the Cella-O'Neill organization in Orange County. The Democratic field includes two city council members, Wilson and Green, who have been campaigning actively for almost a year.

District 35 (43%D-50%R) — Republicans: John V. Briggs of Fullerton, Ruth Dutcher of Santa Ana, John V. Lynch of Santa Ana, Shirley Knuppel of Fullerton. Democrats: Paul Bell of Anaheim, Sal Zavala of Placentia.

This is a safe Republican district represented by veteran James Whetmore who is retiring. Assemblyman Briggs, who was planning to run against Whetmore in the GOP primary, appears to have clear sailing.

District 37 (54%D-39%R) — Democrats: Gilbert Arbiso Jr. of Stanton, Kathryn L. Barr of Garden Grove, Robert Battin of Santa Ana, Paul B. Carpenter of Cypress, Deketa Durham of Buena Park. Republicans: W.C. Burrell Jr. of Buena Park, Virgil Elkins of Santa Ana, Loran A. Norton of Santa Ana.

This is a non-incumbent district created through reapportionment. Either party could take the seat. Assemblyman Carpenter probably would have been the favorite except for adverse publicity linking him to the Cella-O'Neill network in Orange County.

District 39 (49%D-42%R) — Republican: Incumbent Jack Schrade of La Mesa. Democrats: Jess Macias of San Diego, Bob Wilson of La Mesa.

This should be a ripper of a battle in November, pitting the veteran Schrade, oldest member of the Senate, against aggressive young Assemblyman Wilson. The district has a Republican flavor, but in the past Wilson has neutralized that problem with superior campaigning.

Special Election: Foran Versus The Field

Seven-term Assemblyman John F. Foran, backed by almost all of San Francisco's Democratic officialdom, is the early favorite to replace Mayor George Moscone in the state Senate at a special election May 11th. Foran's 6th-district opponents have been attacking him as the "machine" candidate because he has the support of both major Democratic factions in San Francisco, one headed by Congressman Phillip Burton and the other represented by Assembly Speaker Leo McCarthy. The district is about evenly divided between San Francisco and San Mateo counties. If no candidate wins more than half the vote on May 11th, a runoff election between the top vote-getters in each party will be consolidated with the state primary on June 8th.

Other Democratic candidates are former San Mateo County supervisor Bob St. Clair, one-time tackle for the San Francisco 49ers; Bill Schumacher, a Daly City councilman; and Jane Powell, a Jefferson Union high school district director. Republican contenders are Gale Dreisbach, former South San Francisco city manager, and F. Allan Weinstein of South San Francisco. Guy Caputo is the American Independent Party entry. Almost two-thirds of the district's voters are registered Democrats.

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STATE ASSEMBLY

Republican fortunes in the Assembly hardly can deteriorate much in this year's elections. Democrats already hold a 55-25 advantage in the lower house, and there are more chances for Republicans to gain rather than lose seats. The GOP recruitment of prime candidates in marginal Democratic districts fell short of expectations, significantly reducing chances for the Republicans to make major inroads in the huge Democratic majority. A key factor to watch in the primary will be the number of women who emerge as party nominees in districts they can carry. There are three women in the Assembly now and one of them is retiring. There are perhaps five districts in which women appear to have clear shots at victory in November if they can win their party primaries.

District 1 (59%D-35%R) — Democrats: Henry J. Goff Jr. of Red Bluff, Bernard D. Richter of Chico, Betty Smith of Chico, Blackie Sawyer of Orland and Robert Taunt III of Ramelli Ranch. Republicans: Willard W. Connor of Stirling City, Stan Statham of Chico, Terry Waller of Redding.

This district has been represented for more than two decades by Assemblywoman Pauline Davis, who is retiring. Despite the Democratic registraion advantage, Republicans have a good chance of winning this seat because party loyalty is not strong. Smith, a Chico councilwoman, is a major candidate as is Supervisor Richter of Butte County. Even before Davis announced her retirement, television broadcaster Statham entered the race. He has good name identification and has aunched an aggressive campaign.

District 2 (59%D-34%R) — Democrat: Incumbent Barry Keene of Eureka. Republican: Jerry Spencer of Bayside. Peace and Freedom: Carolyn R. Patrick of Santa Rosa.

Keene should have no difficulty winning a third term in this North Coast district.

District 3 (56%D-39%R) — Republican: Incumbent Eugene Chappie of Roseville. Democrat: George C. Shaw of Marysville.

Chappie had a relatively close call two years ago. He faces a rugged opponent in college instructor Shaw, who ran a good race several years ago against former Assemblyman Ray Johnson.

District 4 (62%D-34%R) — Democrat: Incumbent Vic Fazio of Sacramento. Republicans: James W. Lewis of Woodland, Henry Van Meter of Sacramento.

Fazio pulled out a squeaker in a special election, but he should win in a breeze in November against either potential opponent.

District 5 (62%D-37%R) — Democrats: Incumbent Eugene T. Gualco of Sacramento, Joseph Brouillette of Citrus Heights, Paul Denny Smith of Sacramento. Republican: William F. Jetton of Sacramento.

Gualco has no problems despite two other names on the primary ballot.

District 6 (62%D-32%R) — Democrats: Incumbent Leroy F. Greene, Wayne R. Winslow. Republicans: William E. Horn, Raymond E. Vandegriff. All are from Sacramento.

This will be another no-sweat election for Greene.

District 7 (57%D-38%R) — Democrats: Ross Sargent of Stockton, Dick Robyn of San Andreas, Rinaldo D. Richards of West Point, Donald F. Baumback of Lodi, Thurman Johnson of Galt, Richard Tsukiji of Sacramento, Norman S. Waters of Amador. Republicans: Miriam Sagaser of Placerville, Philip Ronzone of South Lake Tahoe, William E. Hicks Jr. of Shingle Springs, Dan Parises of Lodi, Richard Hughes of Lodi.

The large field is prompted by the decision of Democratic incumbent John Garamendi to run for the state Senate. This is a huge mountain-valley district in which party loyalty is weak. There's no telling who will win either nomination and what the outcome might be in November.

District 8 (58%D-37%R) — Democrat: Incumbent Alfred Siegler of Vallejo. Republican: Ronald Greenslate of Napa. Peace and Freedom: Judy K. Depenau of Santa Rosa.

Republicans had an outside chance of taking this seat in 1974. Now Siegler seems to have a lock on it.

District 9 (53%D-39%R) — Democrats: Incumbent Michael Wornum of Mill Valley, Richard Raznikov of San Anselmo. Republican: John Miskimen of San Rafael. Peace and Freedom: Stephen Dias of Rohnert Park.

Freshman Wornum should survive in November against City Councilman Miskimen, but the district is generally unsafe for a Democrat.

District 10 (53%D-42%R) — Democrat: Incumbent Daniel Boatwright of Concord. Republican: Elizabeth Graves of Walnut Creek.

On paper, this is a swing district. In actuality, Boatwright has it in his pocket.

District 11 (68%D-27%R) — Democrats: Incumbent John T. Knox of Richmond, Gregory Cook of El Cerrito. Republican: James F. Chakedis of Pinole. American Independent: Theresa F. Dietrich of El Sobrante.

Speaker pro Tempore Knox has Councilman Cook chasing him. But he should win both in the primary and against Councilman Chakedis in November.

District 12 (57%D-36%R) — Democrats: Tom Bates of Oakland, Thomas P. Dove of Oakland, Florence Levinson of Oakland, Barbara McNab of Berkeley, Arnold R. Miller of Oakland. Republican: Arthur R. Flegal of Piedmont. Peace and Freedom: William A. Callison of Oakland, Louis J. Shireman of Oakland.

In theory, this should be a wide-open race to succeed Democrat Ken Meade, who is quitting. But Bates, a county supervisor, should win handily despite vigorous campaigns by at least two of his primary opponents.

District 13 (72%D-20%R) — Democrats: Incumbent John J. Miller of Berkeley, Warren Widener of Berkeley. Republican: Todd Roust of Oakland. Peace and Freedom: Lawrence J. Phillips of Alameda.

Miller faces his toughest test since 1968. Widener is the mayor of Berkeley and a former administrative assistant to Miller. Miller is under fire from some quarters for supporting Leo McCarthy over Willie Brown for the Assembly speakership. The Democratic primary is the whole ball game.

District 14 (72%D-23%R) — Democrat: Incumbent Bill Lockyer of San Leandro. Republican: Gary O. Boskey of Castro Valley. Peace and Freedom: Susan Denny Ker of Oakland.

The incumbent has a lock on this seat.

District 15 (61%D-32%R) — Democrat: Incumbent Floyd Mori of Pleasanton. Republicans: David Funsch of Hayward, Robert E. Wirt of Hayward.

The anticipated primary opposition to Mori failed to materialize. This area has a long tradition of returning incumbents to office.

District 16 (71%D-19%R) — Democrats: Arthur Agnos, Frank De Osuna, Harvey B. Milk. Republicans: Dwight K. Tripp III, Norman B. Wadsworth, George Medina. Peace and Freedom: Kayren Hudiburgh. All are from San Francisco.

Assemblyman John Foran is giving up this safe-Democratic district to run for the state Senate. Agnos, long-time aide to Speaker Leo T. McCarthy, is the Democratic establishment choice. Milk, a homosexual who ran a good race for supervisor, might give Agnos a tough time by running against the "machine."

District 17 (65%D-24%R) — Democrat Incumbent Willie L. Brown Jr. of San Francisco. Peace and Freedom: Leslie A. Simpson of San Francisco.

Brown is so well situated no Republican filed.

District 18 (69%D-26%R) — Democrat: Incumbent Leo T. McCarthy. Republican: John W. Meyer. Both are from San Francisco.

Meyer has won the right to be clobbered by Speaker McCarthy in November.

District 19 (61%D-34%R) — Democrat: Incumbent Louis J. Papan of Daly City. Republican: Dorothy D. Adams of Daly City. American Independent: Joseph W. Kerska of Brisbane.

Papan should walk to a third term.

District 20 (50%D-44%R) — Republican: Incumbent Dixon Arnett of Redwood City.

Another easy year for Arnett.

District 21 (54%D-39%R) — Democrat: Incumbent Victor Calvo of Mountain View. Republican: David B. Holland of Palo Alto.

Freshman Calvo won easily last time and should do so again.

District 22 (46%D-48%R) — Republicans:Incumbent Richard Hayden of Sunnyvale, Joseph Donohue of San Jose.

This is a solid Republican district and Hayden is solidly entrenched.

District 23 (62%D-32%R) — Democrat: Incumbent John Vasconcellos of San Jose. Republican: William A. Gissler of Santa Clara.

Gissler, a councilman, has little chance for an upset in November.

District 24 (56%D-37%R) — Democrat: Incumbent Leona Egeland of San Jose. Republican: Claude Fletcher of San Jose.

Egeland, a freshman, came through her first test in 1974 with a big win under tougher conditions. She should repeat.

District 25 (64%D-29%R) — Democrats: Incumbent Alister McAlister of San Jose, Juan Vigil

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Miller

Hughes

Bud Collier

of San Jose. Republican: Cynthia Mozzetti of Fremont. American Independent: Ronald Blakeman of Fremont.

Vigil promises an aggressive primary against McAlister, but the incumbent should win.

District 26 (62%D-34%R) — Democrats: Incumbent Carmen Perino of Stockton, Lela Nelson of Stockton, David Torres of Stockton, Leonard Von Gunten of Ripon. Republicans: Doug Carter of Stockton, Gary P. Sullivan of Stockton.

Reelection will not come easy for freshman Perino. Nelson won't go down without a fight. And, in November, the Democratic nominee will probably face former Assemblyman Carter, who chose to run in a different district in 1974 and lost following an attack on then-Governor Ronald Reagan and a temporary withdrawal from the contest.

District 27 (62%D-34%R) — Democrat: Incumbent John Thurman of Modesto.

This will be an easy year for Thurman.

District 28 (55%D-38%R) — Republicans: Harry Wiens of Santa Cruz, John P. Gotthold of Ben Lomond, Larry Parrish of Scott's Valley. Democrats: Henry Fuller of Santa Cruz, Henry J. Mello of Watsonville.

This is one district in which both party primaries are important. The area is now represented by Assemblyman Frank Murphy, who is leaving the Legislature. Murphy is supporting Parrish, a school board member. On the Democratic side, Fuller has run before and Mello is a strong candidate. The seat could go to either party in November.

District 29 (54%D-41%R) — Republicans: Eric Seastrand of Salinas, Carol B. Hallett of Atascadero, Richard A. May of San Luis Obispo, Andrew G. Nunlist of Salinas. Democrats: Martin H. Dodd of Salinas.

This seat is being vacated by Republican Robert Nimmo, who is running for the state Senate. The district theoretically is marginal but has a GOP voting pattern. Hallett, aide to state Senator Donald Grunsky, is the early favorite. But Democrats think they have an outside chance with Dodd, a probation officer.

District 30 (68%D-28%R) — Republican: Incumbent Ken Maddy of Fresno. Democrat: Kenneth J. Leap of Fresno.

The numbers mean nothing in this district, Maddy wins consistently, and this time the opposition is not as strong as usual. Yet, in November, Leap could get lucky if Fresno Democrats discover party loyalty.

District 31 (58%D-37%R) — Republicans: Edward R. Baughman of Selma, Bill Jones of Fresno, Donald L. Bishop of Fresno, Bud Thompson of Fresno. Democrats: Dale Doig of Fresno, Duke Zenovich of Fresno, Lester Leas of Fresno, Richard Lehman of Fresno.

Assemblyman Ernie Mobley, a Republican, is running for the state Senate, opening the floodgates for rugged primaries in both parties since this is a district that could go either way in November. Lehman, an aide to Senator George Zenovich, has a well organized campaign. But the senator's brother, Duke, entered the race, causing consternation for Lehman and his boss. Leas is also a factor in the race. On the Republican side, the early guessing is that Jones and Thompson will be the prime contenders.

District 32 (58%D-38%R) — Republican: Incumbent Gordon Duffy of Hanford. Democrat: Bill Kennedy of Visalia.

The veteran Duffy has this area locked up.

District 33 (59%D-38%R) — Republican: Incumbent Bill Thomas. Democrats: Stephen W. Schilling of Bakersfield, Mary (Pat) Timmermans of Bakersfield.

This is a district that has swung back and forth between the parties. The Democratic primary could be close and Democrats think there is a chance of recapturing the seat in November.

District 34 (53%D-41%R) — Democrats: Incumbent Larry Chimbole of Palmdale, Arnie Rodio of Lancaster. Republicans: Phillip Wyman of Tehachapi, Warren Harwood of Lancaster, Lillian Wheeler of Lancaster.

Freshman Chimbole represents a marginal seat, but he is fortunate that it covers a massive expanse of territory because it will be hard for the Republican nominee to take him. Harwood, a former aide to Los Angeles County Supervisor Baxter Ward, is the early leader.

District 35 (51%D-39%R) — Democrat: Incumbent Gary Hart of Santa Barbara. Republican: Ray Saucedo of Santa Barbara.

Republicans failed to come up with a potent enough candidate to knock off freshman Hart in this marginal district.

District 36 (54%D-40%R) — Democrats: Jane Tolmach of Oxnard, Peter Bokron of Camarillo, Tom Jolicoeur of Chatsworth. Republican: Charles Imbrecht of Ventura.

Democratic Assemblyman Ken MacDonald has decided he would rather get his old seat on the county board of supervisors back than run for another term in the Assembly. Tolmach, former mayor of Oxnard, is the favorite.

District 37 (50%D-44%R) — Republican: Incumbent Robert C. Cline of Northridge. Democrats: Jeff White of Canyon Country, Adell Campbell of Chatsworth, Arline Mathews of Chatsworth.

Cline should win another term.

District 38 (50%D-45%R) — Republican: Incumbent Paul Priolo of Malibu. Democrat: Betty Mann of Agoura.

Priolo, Republican floor leader in the Assembly, has not run too well the last couple of elections. Mann is a strong candidate, but the district is probably not Democratic enough for her to win.

District 39 (62%D-32%R) — Democrats: Incumbent Jim Keysor of Mission Hills, Jon Secrist of Northridge. Republicans: Ronald Elersich of Sepulveda, J. Robert Hayes of San Fernando. Peace and Freedom: Jan B. Tucker of Arleta.

Keysor romped over Elersich in 1974 and should repeat this year.

District 40 (63%D-32%R) — Democrats: Incumbent Tom Bane of Van Nuys, Jim Aldrich of Encino. Republican: Bob Scott of Van Nuys.

Bane won the seat by a 2-1 margin in 1974 and shouldn't have much more trouble this time.

District 41 (45%D-50%R) — Republican: Incumbent Mike Antonovich of Glendale. Peace and Freedom: Merwin Lucas of Glendale.

Democrats properly are not wasting effort mounting a campaign against Antonovich.

District 42 (42%D-53%R) — Republicans: Incumbent Frank Lanterman of La Canada, Chuck Crismier of Pasadena. Democrat: Patrick Johnston of La Crescenta.

After toying with retirement, Lanterman decided to take a 14th term.

District 43 (61%D-34%R) — Democrats: Incumbent Howard L. Berman of Beverly Hills, Iylene Weiss of Encino, Peter G. de Krassel of Los Angeles, Jerry Nathanson of Los Angeles, Lawrence Platt of Encino, Allan R. Berman of Encino.

Berman was going to run for Congress but changed his mind. He'll win handily.

District 44 (63%D-29%R) — Democrat: Incumbent Alan Sieroty of Los Angeles. Republicans: Samuel Sherwin of Los Angeles, Clo Hoover of Santa Monica. Peace and Freedom: Ben Perrick of Venice, Milton Takei of Venice.

This is a preliminary exercise for Sieroty. He will probably be running for the state Senate early next year following the expected election of Senator Anthony Beilenson to Congress.

District 45 (65%D-28%R) — Democrat: Incumbent Herschel Rosenthal of Los Angeles. Republicans: Betty Mikol of Los Angeles, Al Solliday of Los Angeles.

Freshman Rosenthal faces no threat.

District 46 (59%D-32%R) — Democrat: Incumbent Charles Warren. Republicans: Don Holinsworth, Roland Cayard, Howard O. Watts. All are from Los Angeles.

Another smooth cruise for Warren.

District 47 (83%D-13%R) — Democrats: Incumbent Teresa Hughes of Los Angeles, Romer J. Dymally of Los Angeles. Republican: Jim Dunlap of Cudahy.

No one was more surprised than Lieutenant Governor Mervyn Dymally when his brother, Romer, filed in this district against Hughes, a protege of the lieutenant governor. Hughes should win.

District 48 (83%D-14%R) — Democrats: Johnny Collins of Watts, Maxine Waters of Los Angeles, Bob Smith of Los Angeles, Lewis Green of Los Angeles, Kenneth E. Leseney of South Gate. Republican: Johnnie G. Neely of Los Angeles.

In one of the biggest surprises of the year, Democratic Assemblyman Leon Ralph announced he was leaving the Legislature to enter the ministry. His aide, Johnny Collins, was the only one notified in time to file for the Democratic primary, but the Secretary of State extended the period. The extension allowed Maxine Waters, assistant to Los Angeles Councilman David Cunningham, and others to file. This produced a resumption of the feud between the forces of Lieutenant Governor Dymally, backing Collins, and Mayor Tom Bradley, supporting Waters.

District 49 (74%D-21%R) — Democrats: Incumbent Julian Dixon of Marina del Rey, Jordan Daniels Jr. of Los Angeles. Republican: E. Dana Gibson of Marina del Rey.

Dixon, Democratic caucus chairman, should be good for another term.

District 50 (71%D-25%R) — Democrats: Incumbent Curtis R. Tucker of Inglewood, Marion Hill of Los Angeles, William Collier Jr. of Los Angeles. Republican: Genevieve C. Denault of Playa del Rey. Peace and Freedom: Donald Keller of Playa del Rey.

Freshman Tucker won the Democratic primary in a large field two years ago. He should pull through again this year.

District 51 (45%D-47%R) — Republicans: Spencer Douglass of Redondo Beach, Allan Hoffenblum of Manhattan Beach, Gordon T. Stephens of El Segundo, Gerald M. Hilby of Manhattan Beach, Marilyn Ryan of Rancho Palos Verdes. Democrats: Richard Foy of Redondo Beach, Betty Brennan of Manhattan Beach, Chip Post of Hermosa Beach.

This is the district now represented by former GOP floor leader Bob Beverly, who is running for the state Senate. Councilwoman Ryan is the favorite of the

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GOP leadership, but the unexpected can happen in a large field. This could be an all-woman runoff if Brennan and Ryan both win in June, but the district is solidly Republican.

District 52 (61%D-33%R) — Democrat: Incumbent Vincent Thomas of San Pedro. Republican: Vernon Mattox of Torrance. American Independent: Ida Bader of Lomita.
Thomas is heading for a 19th term.

District 53 (69%D-24%R) — Republican: Incumbent Paul Bannai of Gardena. Democrats: Joseph Miller of Hawthorne, Cindy Wear of Gardena, Michael Hartigan of Gardena. American Independent: John T. Touron of Hawthorne.
Democrats failed to come up with a Japanese-American candidate to tackle Bannai who wins despite the overwhelming Democratic registration advantage. The Democratic primary will be a rugged contest. Miller is a councilman, but Wear may outpoll him.

District 54 (77%D-19%R) — Democrats: Incumbent Frank Vicencia of Bellflower, Olan Thompson of Lynwood. Republican: Richard Coxson of Bellflower.
Freshman Vicencia has an easy ride.

District 55 (62%D-26%R) — Democrats: Incumbent Richard Alatorre, Joe R. Chavez. Republican: John M. Feliz. Peace and Freedom: Kay McGlachlin. All are from Los Angeles.
Alatorre had no trouble with Feliz in 1974. Look for a repeat.

District 56 (78%D-14%R) — Democrat: Incumbent Art Torres of Los Angeles. Republican: Roger E. Miller of Los Angeles.
Miller is wasting his time.

District 57 (61%D-33%R) — Democrat: Incumbent Mike Cullen of Long Beach.
Cullen has been getting stronger at the polls in recent elections.

District 58 (56%D-38%R) — Democrat: Incumbent Frec Chel. Republicans Jack Bentley, Dale Dykema Jim Wright. All are from Long Beach.
This was considered a marginal district two years ago but Chel won the seat with strong campaigning. Republicans are not optimistic about beating him. GOP strategists think Bentley, a pollster, will win the primary.

District 59 (66%D-28%R) — Democrat: Incumbent Jack Fenton of Montebello. Republican: Robert A. Di Alto of Alhambra.
Fenton, former Democratic floor leader, will get another two years.

District 60 (68%D-27%R) — Democrat: Incumbent Joseph Montoya of Whittier. Republican: Gilbert Barrio of Rosemead.
This is too tough a district for a Republican.

District 61 (42%D-53%R) — Republicans: Incumbent John L.E. (Bud) Collier of Monrovia, Louis T. Gilbertson of Temple City, Don Hage of Arcadia, Don Decker of San Gabriel. Democrat: Patricia Ostrye of Monrovia. American Independent: Brian Scanlon of Arcadia.
This is a solid Republican district. There are those who think the 61-year old Collier can be defeated in the GOP primary. Decker tried and failed two years ago, and now he, Hage and Gilbertson will probably split the anti-Collier vote, giving the 20-year veteran another term.

District 62 (49%D-45%R) — Republican: Incumbent Bill Lancaster of Covina. Democrat: Sandy Baldonado of Covina.
Baldonado is a terrific candidate – in the wrong district. The chances of a Democrat taking this seat are very slim.

District 63 (60%D-34%R) — Republican: Incumbent Robert McLennan of Downey. Democrats: Dianne Snelling of Norwalk, Bruce Young of Cerritos. Peace and Freedom: Steve Ginn of Norwalk.
McLennan won a bitter fight with Democrat Joe Gonsalves two years ago in this district with a heavy Democratic registration. He should survive this year against lesser opposition.

District 64 (48%D-47%R) — Republicans: Wayne Grisham of La Mirada, Sue Ellen Blevins of Whittier, Jerry Lawson of La Habra, M. David Stirling of Hacienda Heights. Democrats: George Aames of Rowland Heights, Stan Carroll of Whittier, James E. Gonsalves of La Mirada. American Independent: Larry Breazeale of Rowland Heights.
This is a Republican district currently represented by Bill Campbell who is running for the state Senate. The GOP primary could be a rugged test between Grisham, a mayor, Blevins, a school board member, and Stirling, an attorney.

District 65 (55%D-41%R) — Democrat: Incumbent Bill McVittie of Upland. Republicans: Don Donnelly of Pomona, Clyde R. Stephens of Pomona.
Freshman McVittie won a squeaker two years ago in this marginal district. As an incumbent he should do better this time. Republican strategists are disappointed that they have only two relatively unknown candidates.

District 66 (65%D-30%R) — Democrats: Incumbent Terry Goggin of San Bernardino, John M. Barengo of Rialto, Kathy Paulson of San Bernardino. Republican: Tammy Wolfinbarger of Fontana.
Unless Goggin makes a major mistake, he should keep this seat for many years.

District 67 (47%D-47%R) — Republican: Incumbent Jerry Lewis of Redlands.
No Democrat decided to waste his energy in this GOP stronghold.

District 68 (56%D-38%R) — Democrat: Incumbent Walter Ingalls of Riverside. Democrat: Trester Harris Jr. of Corona.
Incumbency is the dominant factor in this district.

District 69 (47%D-47%R) — Republicans: Bill Dannemeyer of Fullerton, Dean Davisson of Fullerton, Clair Harmony of La Habra, James Mosley of Anaheim, Theodore Ponticelli of Fullerton, Andrew P. Banks of Fullerton, Robert W. Lewis of Fullerton, Barbara R. Riegle of Fullerton. Democrats: Neal Gibbons of Fullerton, Gary Hamud of La Habra, Mike Miklaus of Fullerton, Erv Triplett of Fullerton.
Both party primaries will probably be hectic. The district is now represented by Republican John Briggs who is running for the state Senate. Briggs is pushing his aide, Banks, but Dannemeyer – a former Democratic assemblyman – is a rugged campaigner. Other Republicans cannot be counted out and upsets have almost become the norm in Orange County. This should be a Republican district, but Briggs had a mild scare two years ago.

District 70 (39%D-54%R) — Republican: Incumbent Bruce Nestande of Orange. Democrats: Nicholas Perdaris of Orange, Peter C. Tornay of Santa Ana.
Nestande is as safe as can be.

District 71 (55%D-39%R) — Democrats: Harlene Barrett of Westminster, Louis Rotar of Anaheim, Jesse Davis of Buena Park, John B. Daily of Anaheim, John Kanel of Cypress, Sonia Sonju of Cypress, Kenneth Slimmer of Garden Grove, Chester B. Wray of Westminster. Republicans: Marc Cordi of Cypress, Phil Seitz of Anaheim, Charles Thomas of Stanton.
Freshman Assemblyman Paul Carpenter is running for the state Senate, abandoning this marginal district to a wide-open primary battle in both parties.

District 72 (52%D-41%R) — Democrats: Incumbent Richard Robinson of Santa Ana, Mark J. Mulkerin of Santa Ana. Republicans: David Brandt of Santa Ana, Peter Vogel of Santa Ana. American Independent: Harold Nichols of Garden Grove.
Robinson won this seat two years ago with the backing of the Cella-O'Neill organization. He's bound to be a prime GOP target in November.

District 73 (44%D-48%R) — Republican: Incumbent Robert H. Burke. Democrats: Dennis Mangers, Jerry Amante. All are from Huntington Beach.
The rulebook says that Burke should be safe in this Republican district. Mangers came within a whisker of beating Burke two years ago and has not stopped campaigning. This will be one to watch in November.

District 74 (33%D-60%R) — Republicans: David Abbott of Newport Beach, Jerry Asher of San Clemente, Marian Bergeson of Newport Beach, William Crosby of Irvine, Dale Lucus of Tustin, John Grace of Laguna Hills, John Hopwood of Newport Beach, William Hulsy of Mission Viejo, Harold McGrath of Laguna Niguel, Henry Quigley of Irvine, Wes Sartin of Trabuco Canyon, James Slemons of Newport Beach. Democrat: Ronald Cordova of El Toro.
Republican incumbent Bob Badham is running for Congress, prompting the flood of candidates in this rock-solid GOP district. The Republican leadership claims Bergeson will win, but the field is so large and Orange County so unpredictable that almost anything can happen.

District 75 (48%D-46%R) — Democrats: Incumbent Tom Suitt of Indian Wells, James W. Horn Jr. of Holtville. Republicans: Raul Palomo Jr. of Palm Springs, Elmer Enstrom of Kentwood, Alfred A. McCandless of Palm Desert.
This will be the top-priority district of both parties in November. Suitt pulled the biggest surprise of 1974 by defeating Republican Ray Seeley after winning the Democratic nomination by write-in. McCandless is a successful county supervisor with plenty of campaign experience. The farm-labor issue is trouble for Suitt.

District 76 (40%D-51%R) — Republican: Incumbent William A. Craven of Oceanside.
Craven has the remaining GOP bastion in San Diego County.

District 77 (48%D-44%R) — Democrats: Timothy Cohelan of San Diego, Wiley Davis of El Cajon, John Reber of El Cajon. Republicans: Mike Bollman of San Diego, James Ellis of San Diego, Frederick T. Quiett of El Cajon, Vernon Yoshioka of San Diego.
This used to be considered a safe Republican district, but Democrat Bob Wilson won the seat in a special election and held it. Now Wilson is running for the state Senate and the GOP is eager to recapture it. Ellis, a councilman, is the leading Republican candidate. The Democratic primary could be tight with Reber, a councilman, and Cohelan, son of former Congressman Jeffery Cohelan of Berkeley, the prime contenders.

District 78 (51%D-40%R) — Democrat: Incumbent Lawrence Kapiloff of San Diego. Republican: Albert Couppee of San Diego. American Independent: Contessina of San Diego.
Kapiloff runs far ahead of registration and the GOP has only a remote chance of beating him. (Contessina is the only one-name candidate in the state.)

District 79 (60%D-32%R) — Democrat: Incumbent Peter Chacon of Coronado. Republican: Philip Andreen of Coronado. American Independent: Bruce Emery of San Diego.
The rumored strong primary opposition to Chacon failed to materialize.

District 80 (55%D-37%R) — Democrat: Incumbent Wadie P. Deddeh of Chula Vista. Republican: Lynn Pankhurst of Chula Vista.
Nobody has come close to Deddeh since his first election.

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Flexing the partisan muscle

Part of the political fun and games in the legislative process over the past few years has been the occasional employment of a binding caucus vote on members of the Assembly Republican minority to force concessions from the Democratic majority. Those who believe that legislators should be bound more by their consciences and constituencies than by their caucuses have doubted the prudence of two-thirds of a party group being able to bind a few dissenters. This practice now has been advanced a step by the Democratic majority in the Assembly which took a binding caucus position in an effort to break a deadlock on funding for the near-defunct state Agricultural Labor Relations Board.

The Democratic caucus, by two-thirds vote, in effect forced reluctant Democrats to support a $2.6 million funding bill (AB 2886) by Assemblyman Dan Boatwright. The measure was subsequently passed on a 54-24 party-line roll call. The action had at least three pitfalls:

- *It did not solve the ALRB's financial crisis because the bill had to go to the Senate, where its fate was uncertain at best.*
- *It left some Democrats from farm areas, notably Tom Suitt of Riverside County, with plenty of explaining to do at home.*
- *It invited retaliatory caucus action in the future when the Democratic majority falls below the necessary two-thirds margin to pass the budget and appropriation bills.*

Republicans were not satisfied with the so-called compromise in AB 2886 offered by Speaker Leo McCarthy — the creation of a 10-member special legislative committee to study problems with the agricultural labor law enacted last year.

The pro-gun maneuver

In the upper house, Senator H.L. Richardson and 41 co-authors introduced a proposed constitutional amendment (SCA 49) guaranteeing Californians the right to bear handguns, shotguns and rifles. The proposal, which requires a two-thirds vote of each house to reach the ballot, was designed as a countermove to those promoting an anti-gun initiative.

Governor Brown vetoed a bill (AB 1896) by Assemblyman Alfred Siegler changing the Admission Day holiday from September 9th to the second Monday in September. Declared Brown: "I have my doubts about the wisdom of yet another three-day weekend and the increase it brings in highway traffic and gas consumption."

Senate (24D, 15R)	AB 164	AB 219	AB 491	AB 2009	SCA 14	AB 52	AB 58	AB 1589	AB 2545	SB 699	AB 37	AB 1395
Alquist (D)	Y	Y	Y	Y	Y	Y	Y	Y	*	N	Y	
Ayala (D)	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	
Behr (R)	Y	Y	Y	*	Y		Y	Y	Y	N	Y	
Beilenson (D)	*	Y	Y	*	Y		Y	*	Y	N	N	
Berryhill (R)	N	*	N	Y	Y		N	*	Y	*	N	
Carpenter (R)	N	N	N	*	Y	*	N	N	*	*	N	
Collier (D)	Y	*	*	Y	Y		N	Y	*	*	*	
Cusanovich (R)	N	N	N	Y	Y		N	*	Y	N	N	
Deukmejian (R)	N	Y	N	N	N		N	Y	N	N	Y	
Dills (D)	Y	Y	Y	Y	N	*	Y	Y	Y	Y	N	
Dunlap (D)	*	Y	Y	Y	Y		Y	Y	*	Y	Y	
Garcia (D)	*	Y	Y	*	Y		*	*	*	N	N	
Greene (D)	Y	Y	Y	Y	Y		Y	Y	*	Y	Y	
Gregorio (D)	Y	*	Y	Y	Y		Y	*	Y	N	*	
Grunsky (R)	Y	Y	Y	N	Y		N	Y	Y	N	N	
Holden (D)	Y	Y	Y	Y	Y	N	Y	Y	*	N	*	
Holmdahl (D)	Y	Y	N	N	N		N	Y	Y	N	Y	
Kennick (D)	*	Y	Y	Y	Y		Y	*	Y	Y	Y	
Marks (R)	Y	Y	Y	Y	Y		N	Y	Y	N	Y	
Mills (D)	Y	Y	Y	*	Y		N	Y	Y	N	Y	
Nejedly (R)	Y	Y	N	Y	Y		N	Y	Y	Y	Y	
Petris (D)	Y	Y	Y	Y	*		Y	Y	*	N	Y	
Presley (D)	Y	*	Y	Y	Y		Y	Y	Y	Y	Y	
Rains (D)	Y	*	Y	Y	Y		Y	Y	Y	Y	Y	
Richardson (R)	N	N	N	*	Y	*	N	N	*	Y	N	
Robbins (D)	Y	Y	*	*	Y	*	Y	Y	*	N	Y	
Roberti (D)	Y	Y	Y	Y	Y		Y	Y	Y	N	N	
Rodda (D)	*	Y	Y	Y	N	Y	Y	Y	Y	N	Y	
Russell (R)	Y	N	N	Y	Y	N	N	Y	N	Y	*	
Schrade (R)	*	Y	N	N	Y		N	*	*	*	N	
Smith (D)	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	
Song (D)	*	*	Y	Y	Y		Y	*	Y	Y	Y	
Stevens (R)	*	Y	Y	*	*		N	*	*	*	*	
Stiern (D)	Y	Y	N	Y	N		N	*	Y	Y	*	
Stull (R)	N	*	*	N	Y		*	N	Y	*	*	
Way (R)	N	N	N	Y	Y		N	N	Y	N	N	
Wedworth (D)	Y	N	*	Y	Y		Y	Y	Y	N	Y	
Whetmore (R)	*	Y	N	N	Y		*	N	*	N	Y	
Zenovich (D)	*	N	*	Y	*	*	Y	Y	Y	Y	N	
(one vacancy)												

VOTING RECORDS

Listed here are the votes of legislators on recent major roll calls through March 21st. Votes selected involve issues of major importance and issues on which there was a major division of opinion, or both.

Y - Yes
N - No
*** — Absent or not voting**

A ⅔ vote is required for urgency measures, constitutional amendments, and appropriations.

Assembly: 41 votes required for passage of bills needing a simple majority. (⅔ = 54 votes).

Senate: 21 votes required for passage of bills needing a simple majority. (⅔ = 27 votes).

Senate

BUSINESS

AB 164 (Cullen) — Requires that mobilehomes to be displayed for retail sale carry manufacturer's suggested retail price. Passed 22-7.

AB 219 (Lockyer) — Requires retail stores to send customers annual statements of finance charges on credit accounts. Passed 25-7.

CRIMINAL JUSTICE

AB 491 (Brown) — Would permit adults as well as minors to petition courts for sealing of certain arrest records. Passed 22-12.

EDUCATION

AB 2009 (Kapiloff) — Authorizes school districts to levy taxes to pay for payments into the State Teachers Retirement System. Passed 29-6.

SCA 14 (Stull) — Proposed constitutional amendment making competitive bidding procedures of the University of California subject to legislative regulation and establishing a basic anti-discrimination law for the university. Adopted 30-3.

ELECTIONS

AB 52 (Keysor) — Lowers requirements for independent candidates to qualify for general-election ballots. Passed 27-5.

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AB 58 (Keysor) — Authorizes certain special districts to conduct elections by mail. Passed 21-16.

EMPLOYMENT

AB 1589 (McAlister) — Permits a state employee who leaves an employee organization to maintain medical insurance coverage. Passed 22-7.

AB 2545 (Chappie) — Appropriates $1,162,000 for the state Ecology Corps to meet new minimum-wage requirements. Passed 30-0.

SB 699 (Behr) — Gives state correctional officers status as peace officers with improved retirement benefits. Passed 21-9.

MISCELLANEOUS

AB 37 (Briggs) — Would allow voters to decide whether the proposed Chino Hills airport should be built. Defeated 13-23.

AB 1395 (Keene) — Prohibits installation of tank-type toilets using more than 3½ gallons per flush, starting in 1978. Conference report adopted 21-11.

Assembly

BUSINESS AND LABOR

SB 503 (Petris) — Exempts beer sold to the armed forces from the state excise tax. Passed 41-35.

AB 2886 (Boatwright) — Appropriates $2.6 million for the Agricultural Labor Relations Board and creates legislative review committee to study ALRB problems. Passed 54-24.

CRIMINAL JUSTICE

AB 2212 (W. Thomas) — Permits non-attorney justice-court judges to seek reelection. Attempted override of Governor's veto failed 33-39.

AB 2691 (Thurman) — Gives prisoners in city and county jails double credit for time worked while incarcerated. Passed 49-20.

LOCAL GOVERNMENT

AB 2676 (Hayden) — Allows local government to regulate use of skateboards on public streets and roads. Passed 65-3.

AB 2769 (Torres) — Makes Los Angeles County Housing Authority patrol officers peace officers with authority over offenses anywhere in California. Passed 43-25.

AB 2770 (Vicencia) — Subject to vote of the people, increases the mass transit sales tax from one-half cent to one cent in the Southern California Rapid Transit District. Passed 62-6.

SB 174 (Roberti) — Appropriates $75 million over three years for an urban-park program. Passed 69-5.

Assembly (55D, 25R)	SB 503	AB 2886	AB 2212	AB 2691	AB 2676	AB 2769	AB 2770	SB 174	ACA 77	HR 58
Alatorre (D)	Y	Y	N	Y	Y	Y	Y	Y	*	
Antonovich (R)	N	N	Y	N	Y	N	Y	Y	N	
Arnett (R)	N	N	Y	Y	Y	N	Y	Y	N	
Badham (R)	*	N	Y	N	*	N	Y	N	N	
Bane (D)	Y	*	*	Y	Y	Y	Y	Y	Y	
Bannai (R)	N	N	Y	Y	Y	N	Y	Y	N	
Berman (D)	Y	Y	N	*	*	*	Y	Y	Y	
Beverly (R)	N	N	N	*	*	Y	Y	Y	N	
Boatwright (D)	Y	Y	N	Y	Y	Y	Y	Y	Y	
Briggs (R)	N	*	Y	N	*	N	Y	Y	*	Y
Brown (D)	*	Y	N	*	*	*	N	Y	Y	
Burke (R)	N	N	Y	N	*	N	Y	Y	N	
Calvo (D)	Y	Y	N	Y	*	*	Y	Y	Y	
Campbell (R)	N	N	*	N	Y	N	Y	Y	Y	
Carpenter (D)	N	Y	Y	Y	Y	Y	Y	Y	Y	
Chacon (D)	N	Y	N	N	Y	N	Y	*	*	
Chappie (R)	N	N	Y	N	Y	*	Y	N	Y	
Chel (D)	N	Y	Y	Y	Y	Y	Y	Y	Y	
Chimbole (D)	N	Y	N	Y	Y	Y	Y	Y	N	
Cline (R)	Y	N	N	N	N	*	Y	N	Y	
Collier (R)	N	N	Y	N	Y	Y	N	Y	Y	
Craven (R)	N	N	Y	*	Y	Y	Y	Y	N	
Cullen (D)	N	Y	Y	N	Y	Y	Y	Y	Y	
Davis (D)	N	Y	N	Y	*	Y	N	N	N	
Deddeh (D)	N	Y	N	Y	Y	N	Y	Y	N	
Dixon (D)	Y	N	Y	Y	*	Y	*	N	N	
Duffy (R)	N	N	Y	Y	Y	Y	Y	Y	N	
Egeland (D)	Y	Y	N	Y	*	Y	Y	Y	Y	
Fazio (D)	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Fenton (D)	Y	Y	N	Y	Y	Y	Y	Y	N	
Foran (D)	*	Y	N	Y	Y	Y	Y	*	*	
Garamendi (D)	Y	Y	Y	Y	N	Y	*	*	*	
Goggin (D)	Y	Y	*	Y	*	Y	*	*	*	
Greene, L. (D)	Y	Y	Y	*	Y	Y	Y	Y	N	
Gualco (D)	Y	N	Y	Y	Y	Y	*	*	*	
Hart (D)	Y	Y	Y	Y	Y	N	Y	Y	Y	
Hayden (R)	N	N	Y	N	Y	N	Y	Y	Y	
Hughes (D)	Y	N	Y	Y	*	Y	N	Y	Y	
Ingalls (D)	N	Y	N	Y	*	*	Y	Y	Y	
Kapiloff (D)	Y	N	Y	Y	Y	Y	Y	Y	Y	
Keene (D)	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Keysor (D)	Y	N	Y	Y	Y	Y	Y	Y	Y	
Knox (D)	Y	N	Y	Y	Y	Y	Y	Y	N	
Lancaster (R)	N	N	Y	N	Y	*	*	*	Y	
Lanterman (R)	N	N	Y	N	Y	N	Y	*	Y	
Lewis (R)	N	N	Y	*	Y	Y	Y	Y	N	
Lockyer (D)	Y	N	Y	N	Y	*	Y	Y	Y	
MacDonald (D)	Y	N	Y	N	Y	Y	N	Y	Y	
Maddy (R)	N	N	Y	*	Y	Y	Y	Y	N	
McAlister (D)	Y	Y	N	N	Y	N	Y	Y	Y	
McCarthy (D)	Y	Y	*	*	Y	Y	Y	Y	*	
McLennan (R)	N	N	Y	N	N	N	Y	N	Y	
McVittie (D)	Y	N	Y	Y	Y	N	Y	Y	N	
Meade (D)	Y	N	Y	*	*	*	Y	*	*	
Miller (D)	Y	Y	*	*	Y	N	N	Y	*	
Mobley (R)	N	N	Y	N	Y	N	Y	N	Y	
Montoya (D)	Y	Y	*	Y	Y	N	Y	N	Y	
Mori (D)	Y	Y	N	*	Y	Y	N	Y	Y	
Murphy (R)	N	N	N	Y	*	*	*	Y	*	
Nestande (R)	N	N	Y	Y	Y	Y	Y	Y	Y	
Nimmo (R)	N	N	Y	N	Y	N	Y	Y	Y	
Papan (D)	*	Y	N	Y	Y	Y	Y	Y	*	
Perino (D)	Y	Y	Y	Y	Y	Y	Y	Y	N	
Priolo (R)	N	N	N	N	Y	*	Y	N	Y	
Ralph (D)	Y	Y	N	Y	*	Y	Y	Y	*	
Robinson (D)	N	Y	N	N	Y	N	N	Y	N	
Rosenthal (D)	Y	Y	N	Y	Y	Y	Y	Y	N	
Siegler (D)	Y	Y	N	*	Y	*	Y	Y	Y	
Sieroty (D)	Y	Y	N	Y	Y	*	Y	Y	Y	
Suitt (D)	N	Y	Y	Y	Y	*	*	*	Y	*
Thomas, V. (D)	Y	Y	N	Y	*	Y	N	Y	*	
Thomas, W. (R)	N	N	Y	Y	*	Y	Y	Y	Y	
Thurman (D)	N	Y	N	Y	Y	Y	Y	Y	*	
Torres (D)	Y	Y	N	Y	Y	Y	Y	Y	Y	
Tucker (D)	Y	Y	N	Y	Y	Y	*	Y	Y	N
Vasconcellos (D)	Y	Y	*	*	Y	N	Y	Y	*	
Vicencia (D)	Y	Y	N	*	Y	Y	Y	Y	Y	
Warren (D)	Y	Y	*	Y	Y	Y	Y	N	Y	
Wilson (D)	N	Y	N	Y	Y	Y	Y	N	Y	
Wornum (D)	Y	Y	N	Y	Y	Y	Y	Y	Y	

MISCELLANEOUS

ACA 77 (Greene) — Proposed constitutional amendment giving non-charter counties the option of selecting the county superintendents of schools through election or appointment by the county boards of education. Adopted 65-6.

HR 58 (Briggs) — Requires that the Assembly chamber and visitors' gallery be divided into smoking and non-smoking sections. Passed 42-21.

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Copies of the **California Journal ALMANAC of State Government and Politics** are again available. The first printing sold out rapidly, but a new supply is now on hand.

The Almanac offers 176 pages of information on elections, local government, state population, and the legislative, executive and judicial branches of state government. Biographies and photographs of elected officials are included. It is a must for every library, office or the desk of anyone with an interest in state government and politics.

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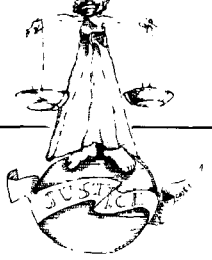

SIGNIFICANT COURT ACTIONS

Extending free speech to lobbyists

At least for the 1976 state election, California lobbyists will be able to recommend to their employers which candidates should receive campaign contributions. Without comment, the state Supreme Court declined to hear an appeal by the state Fair Political Practices Commission from a Superior Court ruling that an FPPC regulation banning contribution recommendations was a violation of the constitutional right of free speech.

The Political Reform Act of 1974 (generally known as Proposition 9) sought to break the link between lobbyists and candidates by prohibiting advocates from "arranging" campaign contributions. The Commission subsequently interpreted "arranging" to mean "recommending." Chairman Daniel Lowenstein of the FPPC said the Supreme Court decision does not close the matter as the issue can still be brought to trial, but it does mean that the regulation will not be in effect this year. Lobbyists indicated that the ruling will allow them to be more direct in conversations with their clients. The suit against the FPPC was brought by the Institute of Governmental Advocates, which represents 40 Sacramento lobbyists.

Upholding the access rule

In a 4-3 decision, the state Supreme Court upheld the controversial access rule granting union organizers the right to enter growers' property to talk with workers. Reversing Superior Court decisions in Fresno and Tulare counties, Justice Stanley Mosk wrote for the majority: "It should scarcely be necessary, as we enter the last quarter of the 20th century, to reaffirm the principle that all private property is held subject to the power of government to regulate its use for the public welfare."

Grower representatives indicated that the issue would be taken to the United States Supreme Court which recently issued a ruling banning striking workers from entering a privately-owned shopping center to establish a picket line. Mosk noted in *Agricultural Labor Relations Board* v. *Superior Court of Tulare County* that the National Labor Relations Board does not allow access except when there are conditions that make communication with workers difficult. These conditions, he said, are the rule in California agriculture. Mosk was joined by Chief Justice Donald Wright, and Justices Mathew Tobriner and Raymond Sullivan.

In dissent, Justice William P. Clark Jr. said the access rule is invalid because the Agricultural Labor Relations Act follows federal law, which generally prohibits access to private property. Justices Marshall F. McComb and Frank Richardson also signed the dissent.

From Petaluma to Nevada

The United States Supreme Court handed down two decisions of special importance to California. In one, the court upheld the right of Petaluma, a small city north of San Francisco, to restrict housing construction to 500 units a year. In the other, the court upheld the state's right to prohibit farmers from hiring illegal aliens. The Petaluma anti-growth decision is expected to result in a plethora of efforts to prevent suburban community expansion.

Decisions of the state Supreme Court had the effect of:

- *Invalidating warrantless arrests of individuals within their homes in the absence of compelling circumstances.*
- *Prohibiting non-attorney justice-court judges from running for reelection.*
- *Banning an automobile owner injured from riding as a passenger in his or her own car from recovering damages from the driver whose negligence caused the injury.*
- *Allowing public officials to use state public-nuisance laws to prevent the display of obscene materials in stores and theaters.*
- *Holding Nevada casinos and bars liable for California highway accidents caused by motorists who were served too many drinks.*

Published by the California Center for Research and Education in Government

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Our best-selling publication, **California Journal Roster and Government Guide,** is still available. If past years are any indication, the supply may not last long — even though we printed thousands more copies this year. The **Roster** contains:

- *Names, addresses and telephone numbers of all California legislators and members of Congress.*
- *Similar information on the executive branch of government, including state departments.*
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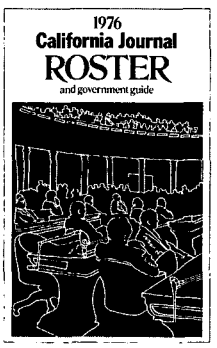

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By Lou Cannon

The speech nobody wrote

The day after the North Carolina primary President Ford announced he was making the swine-flu vaccine available to every American in an effort to head off a threatened epidemic next winter. The crack making the rounds in Washington was that the vaccine would not be distributed in North Carolina.

It was, as Lyn Nofziger might have said, a sick joke. But it was the closest approach to humor that President Ford's stunned political advisers could manage after Ronald Reagan's upset victory in a primary that was supposed to drive him out of the race. The day before, in Raleigh, one of Ford's in-state political strategists had said confidently to a reporter who was himself predicting victory: "We'd like to be the first state to get 60 per cent for the President." He forgot that it is necessary to reach 50 per cent first, an achievement which Ford failed to attain by four percentage points in North Carolina. There is little doubt that the pro-Ford organization of Governor James E. Holshouser was overconfident of victory and that the Reagan forces remained loyal and hardworking despite three previous defeats.

It can be argued, however, even by those favorable to Ford, that the President received more votes than he deserved. His campaign in North Carolina consisted mostly of flying in his incumbency, complete with helicopters and the presidential limousine, and showing it off to the supposedly unsophisticated voters in the traditionally Republican mountain counties. "God comes to North Carolina," is what one of Ford's less reverent aides called it. But there is no evidence that He has chosen sides in the Republican presidential race.

* * *

Even those voters who were impressed with the incumbency must have had second thoughts after listening to the President's speeches, particularly the speech he gave in Charlotte, the state's most populous city. On the same day that Reagan was banging away at the deficiencies of detente and depicting Ford as a potential political loser in November, the President was standing up to the evil forces that are trying to destroy America. The key passage from the President's speech simply has to be read in its entirety to be believed: "I regret that some people in this country have disparaged and demeaned the role of the homemaker. I say — and I say it with emphasis and conviction — that homemaking is goodfor America. I say that homemaking is not out of date and I reject strongly such accusations." A Reagan aide said dryly that the former governor had no differences with the President on this vital issue. Reagan carried Charlotte, a city that Ford was supposed to win. When a Ford political aide was asked to identify the author of the homemaking speech, he replied that the address was "so bad that no one is willing to admit he wrote it."

All this does not mean that the presidency has lost its magic, simply that Ford tried to make too much out of a good thing. Encouraged by leaflets urging citizens to see Air Force One (and it is a pretty plane), the crowds turned out heavily in Florida, where Ford won by gaining an overwhelming vote among over-65 Floridians, who make up nearly 40 per cent of the GOP electorate in the Sunshine State. But the President's Florida victory, made possible in large part by the importation of Bill Roberts from California, concealed major weaknesses. Ford's celebrated denunciation of Fidel Castro as "an international outlaw," for instance, made no impression upon the Cubans who voted overwhelmingly for Reagan. More importantly for his political future, Ford barely broke even among the middle-age, middle-class professionals and businessmen who in many states and communities form the backbone of the Republican Party. Florida was, in fact, a danger signal for Ford which went unrecognized.

When the Reagan challenge began last autumn, the Californian's strategists underestimated both Ford's personal tenacity and the importance of incumbency. The question they wanted answered in those days was whether Ford would quit if he lost in New Hampshire and Florida. But it also is true that the Ford strategists underestimated Reagan, believing he could be crudely pressured into quitting after defeats in three primaries. Reagan, understandably, resented the constant questions from reporters about when he would get out of the race. ("You don't fold your tent after the first inning," he said in a classic mixed metaphor in North Carolina.) With his resistant frame of mind, Reagan needed only one victory, anywhere, to keep going. He now looks forward to a string of five presumptively favorable primaries during the first six days of May — Texas, Georgia, Alabama, Indiana, Tennessee. If Reagan wins two or three of these primaries, and he should, he unquestionably will be able to hang on until California, last of the winner-take-all primaries, on June 8th.

Reagan has been abetted in his comeback by the comet-like performance of former Georgia Governor Jimmy Carter, whose anti-Washington phrases sound remarkably similar to Reagan's. The two candidates share in mining the political lode of frustration and mistrust of the national government that accumulated during the years of Vietnam and Watergate. But there is more to it than that. Carter has performed for Reagan the signal service of demolishing the George Wallace candidacy, an act which seems certain to help Reagan in some of the crossover states. And Carter, who may be closer to wrapping up the nomination than is generally realized, also enables Reagan to make a somewhat more practical case for his own nomination. Reagan national chairman John Sears argues convincingly that Ford, with his 25 years of Washington service, will be more vulnerable than Reagan to Carter's anti-Washington theme. To the extent this argument is accepted, it undercuts Ford's attempt to present himself as the only Republican who could succeed against the Democrats.

* * *

What President Ford has left to offer against the revived Reagan challenge is more of what he has used in the past. Incumbency is a tool of many tines, as Ford showed casually the day after the North Carolina primary by declaring the next primary state, storm-struck Wisconsin, a disaster area eligible for federal aid.

With all that he has going for him, and with all he has achieved, Reagan still faces a steeply uphill battle. He is doing well enough against the candidate named Gerald Ford. But he is finding that it is a difficult task to bring down the candidate called President.

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COMING NEXT MONTH:

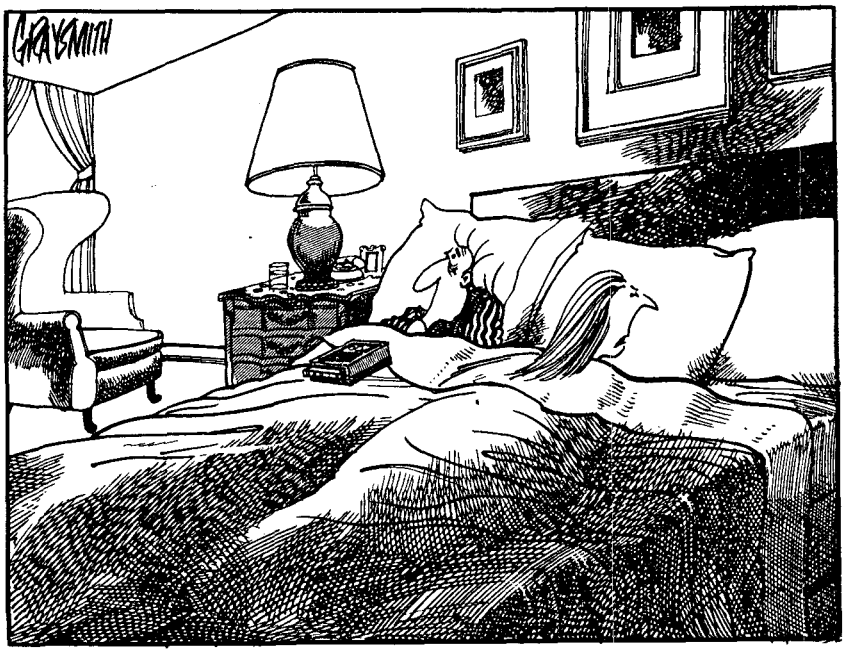
Guide to the Nuclear Initiative

Confused about the Nuclear Power Plants Initiative, Proposition 15 on the June 8th ballot?

The *Journal* won't tell you how to vote, but we will attempt to focus the issues in a concise, comprehensible format so you can make an educated judgment on how to vote on this complex proposal.

The detailed analysis of the nuclear initiative will be included in a special ballot-proposition pamphlet in next month's *Journal*. The pamphlet also will contain descriptions and analyses of the other 14 measures on the statewide primary ballot.

Reprints of the special section will be available at the following prices: Single copy, 75 cents; 2-10 copies, 50 cents each; 11-99 copies, 40 cents each; 100 or more copies, 30 cents each. Please add sales tax to all but single-copy orders. Postage and handling are free on pre-paid orders.



Graysmith — San Francisco Chronicle

"Turn off your tape on pros and cons of the Nuclear Initiative and get some sleep!"

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